

Jerome C. Capron, Menasha.  
Wardlaw A. Clapp, Wauwatosa.  
Adolph H. Jessell, Birnamwood.  
John C. Mitchell, Kaukauna.  
James E. Parry, Florence.  
Charles Pfeifer, Plymouth.  
George C. Seemann, Boscobel.  
William Vanzile, Crandon.  
John H. Wall, Highland.

## WYOMING.

Icy S. Green, Moorcroft.

## WITHDRAWALS.

*Executive nominations withdrawn July 23, 1912.*

## POSTMASTERS.

## ALABAMA.

Clyde P. Loran to be postmaster at Jackson.

## NEW YORK.

William B. Le Roy to be postmaster at Cohoes.

## HOUSE OF REPRESENTATIVES.

TUESDAY, July 23, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art supremely great, the King of Kings and Lord of Lords, above all, through all, and in us all, to whom the rich, the poor, the high, the lowly, the good, the bad, may look up in faith and confidence and call thee "Father," help us to rid ourselves of selfishness, which is the root of all evil, that we may become fit temples for the indwelling of Thy spirit, that righteousness may reign supreme in all the earth, to the honor and glory of Thy holy name. Amen.

The SPEAKER. The Clerk will read the Journal.

The Clerk began the reading of the Journal.

Mr. McMORRAN. Mr. Speaker—

The SPEAKER. The Clerk will suspend.

Mr. McMORRAN. Mr. Speaker, I wish to suggest that before we proceed with this bill we should have a quorum.

The SPEAKER. We are not proceeding with the bill. We are having the Journal read.

Mr. McMORRAN. Then I make the point that there is no quorum present.

The SPEAKER. Of course, it is none of the Chair's business, but would not the gentleman reserve that point until we get through with the Journal, and then raise the point? The gentleman raises the point that there is no quorum present.

## CALL OF THE HOUSE.

Mr. UNDERWOOD. Mr. Speaker, evidently there is not a quorum present. I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. Members will answer "present."

The Clerk called the roll, and the following Members failed to answer to their names:

Adair	Cox, Ohio	Graham	Loud
Ainey	Cravens	Guernsey	McCall
Ames	Cullop	Hamill	McCoy
Andrus	Curley	Hamilton, Mich.	McCreary
Ansberry	Currier	Hardwick	McGuire, Okla.
Anthony	Daugherty	Harris	McHenry
Austin	Davenport	Harrison, N. Y.	McKellar
Barchfeld	Davidson	Hartman	McKenzie
Barnhart	De Forest	Haugen	Macon
Bartlett	Denver	Heald	Maher
Bates	Dickson, Miss.	Helgesen	Martin, S. Dak.
Bathrick	Dies	Helm	Matthews
Bell, Ga.	Dodds	Henry, Conn.	Miller
Boehne	Draper	Higgins	Moon, Pa.
Bradley	Driscoll, M. E.	Hinds	Moon, Tenn.
Brown	Dyer	Hughes, Ga.	Moore, Tex.
Burgess	Ellerbe	Hughes, N. J.	Morgan
Burke, Pa.	Fairchild	Humphreys, Miss.	Morse
Butler	Farr	Jackson	Mott
Burnes, S. C.	Ferris	Kindred	Murdock
Calder	Floyd, Ark.	Kinkad, N. J.	Murray
Callaway	Focht	Kopp	Nelson
Campbell	Fordney	Lamb	Nye
Cantrill	Fornes	Langley	Olmsted
Carter	Gardner, N. J.	Lawrence	O'Shaunessy
Cary	Garner	Legare	Parran
Catlin	Garrett	Lenroot	Patten, N. Y.
Clark, Fla.	Gillett	Lewis	Patton, Pa.
Collier	Glass	Lindsay	Peters
Conry	Goeke	Linthicum	Porter
Covington	Goldfogle	Littleton	Powers

Pray	Scully	Stephens, Nebr.	Vare
Pujo	Shackelford	Stephens, Miss.	Vreeland
Randell, Tex.	Sheppard	Sulloway	Whitacre
Redfield	Sherwood	Taggart	Wilder
Reyburn	Simmens	Talbott, Md.	Wilson, Ill.
Richardson	Slomp	Talcott, N. Y.	Wilson, N. Y.
Riordan	Smith, J. M. C.	Thistlewood	Wood, N. J.
Roberts, Nev.	Smith, Saml. W.	Thomas	Woods, Iowa
Rucker, Mo.	Smith, Cal.	Tilson	Young, Mich.
Sabath	Smith, N. Y.	Towner	Young, Tex.
Saunders	Stack	Tuttle	

The SPEAKER. The roll call shows 221 Members present—a quorum.

Mr. UNDERWOOD. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors, and the Clerk will proceed with the reading of the Journal.

The Journal of the proceedings of yesterday was read and approved.

## LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal requests, which the Clerk will report.

The Clerk read as follows:

Mr. SAUNDERS requests leave of absence for 10 days, on account of important business.

Mr. MORRISON requests leave of absence for 5 days, on account of important business.

Mr. LINDSAY requests leave of absence indefinitely, on account of sickness.

Mr. PORTER requests leave of absence for 1 week, on account of illness in his family.

Mr. LINTHICUM requests leave of absence for 1 day, on account of important public business.

The SPEAKER. Without objection, these requests will be granted.

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to suggest to gentlemen of the House that I know of no more important business than fulfilling the functions here for which they were elected, although I shall not object at this time to these requests.

The SPEAKER. Is there objection?

There was no objection.

## QUESTION OF PERSONAL PRIVILEGE.

Mr. AKIN of New York. Mr. Speaker, I have a matter of personal privilege.

The SPEAKER. The gentleman from New York will state it.

Mr. AKIN of New York. I have been recorded, Mr. Speaker, for some time past as being paired with different Members in this House. I have never given my permission to be paired with any man in this House. I have never wanted to be paired.

It is noted here on May 12, 1911, that I was paired with Mr. Gordon, of Tennessee, who is now dead. That is not so. I never was paired. On May 18, 1911, I am recorded as having been paired with Mr. AIKEN of South Carolina. I never gave permission to be paired with him, or he with me. And so on, through the different items where I have been paired, I want to say it is absolutely false, and I have been misrepresented. I have never asked yet to be paired with any man on the floor of this House, and I ask that the Record be corrected.

The SPEAKER. The gentleman evidently had a right to rise to a question of personal privilege about it, although the Chair has absolutely no control whatever over the matter of pairing. That is a private arrangement. Of course the practice has been that the Chair undertakes to enforce the contracts entered into, but whether one can have the Record corrected as far back as May 12, 1911, is a matter that the Chair would not like to pass upon.

Mr. FINLEY. Mr. Speaker, my understanding is that the permanent Record has been made up of that date, but of course the remarks of the gentleman will go into the Record as of to-day, and the correction will appear as he makes it.

The SPEAKER. The Record clerk informs the Chair that the permanent Record has been made up, and it would be a physical impossibility to change the permanent Record of May 12, 1911, or of any date approximating thereto.

Mr. EDWARDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EDWARDS. In the event the change in the Record is made, in accordance with the request of the gentleman from New York [Mr. AKIN], would the Record then show the gentleman as having been absent?

The SPEAKER. The Chair does not know. It can not be done. It is a physical impossibility.

Mr. EDWARDS. I would like to ask the gentleman a question, if he will yield.

Mr. AKIN of New York. I will.

Mr. EDWARDS. I would like to ask the gentleman whether or not he was present at those times?

Mr. AKIN of New York. I can not go back now and find out whether I was present or not present. But that does not make any difference. There is not a Member in this House who has been more attentive to his duties and has been here more days than I have been.

Mr. EDWARDS. I did not question the gentleman's attendance or diligence.

The SPEAKER. This whole discussion is out of order. The Chair will state, in justice to the pair clerks, that of course they do not undertake to pair people who do not want to be paired. They must have fallen into some honest error about the matter. The pair clerks have absolutely no right to pair a man unless he wishes to be paired, and it would be a very healthy mental exercise if all the Members of the House would dig up Senator Benton's book and read his opinion about this pairing business anyway. That is the end of that.

#### METROPOLITAN COACH CO.

The SPEAKER laid before the House the bill (S. 2904) to confer upon the Commissioners of the District of Columbia authority to regulate the operation and equipment of the vehicles of the Metropolitan Coach Co., with House amendments disagreed to by the Senate and a conference asked.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House insist upon its amendments and that the request of the Senate for a conference be agreed to.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. ROTHERMEL, Mr. LOBECK, and Mr. KAHN.

#### LAWS RELATIVE TO SEAMEN.

Mr. ALEXANDER. Mr. Speaker, I call up for further consideration the bill (H. R. 23673) to abolish the involuntary servitude imposed upon seamen in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed upon the seamen of the merchant marine of foreign countries while in ports of the United States, to prevent unskilled manning of American vessels, to encourage the training of boys in the American merchant marine, for the further protection of life at sea, and to amend the laws relative to seamen.

The SPEAKER. For the information of the House the Clerk will, if there be no objection, report the amendment that was pending yesterday when the House adjourned, being an amendment offered by the gentleman from Washington [Mr. HUMPHREY].

The Clerk read as follows:

Page 2, line 10, after the word "States," insert the following: "Except those running on lakes, bays, sounds, and rivers."

Mr. GALLAGHER. Mr. Speaker, I would like to ask the reasons and motives that prompted the introduction of this amendment, for there must have been a reason for it. The gentleman has stated, "so far as the Great Lakes are concerned, there has been no complaint at all, and if I understand the provisions rightly, it increases very greatly the number of firemen, inasmuch as, so far as the committee knows, both the firemen and owners of the lake vessels are satisfied with the conditions upon the Great Lakes."

He assumes here that both the firemen and owners of the vessels are satisfied with the present state of things on the Great Lakes. In reply to this I beg leave to state to the gentleman that I differ with him, and, differing with him, I desire to call the attention of the members to the real situation there.

So far as the owners of these boats are concerned, they are perfectly satisfied with the present conditions as they now exist upon the Great Lakes. But the public and the firemen and those engaged in the laborious task of navigating the Great Lakes are not satisfied, and the reason they are not satisfied is clearly evident when we consider the situation as it actually exists. Before considering these matters, and in view of the statement made by the gentleman from Washington [Mr. HUMPHREY], I took occasion last evening to telegraph to the secretary of the Lake Seamen's Union, at Chicago, Ill., with reference to the general effect of this amendment upon the existing state of affairs upon the Lakes, and the effect that the passage of this amendment would have, not only with reference to the firemen, but also to the general conditions affected by it.

JULY 22, 1912.

V. A. OLANDER,  
Secretary Lake Seamen's Union,  
670 West Lake Street, Chicago, Ill.:

On line 10, page 2, of the bill it is to be contended to-morrow that it is not necessary that sailors be divided into two and firemen into three watches on the Great Lakes; that many vessels are only in day service. Wire what you think about it.

THOMAS GALLAGHER,  
Member of Congress.

In reply to this I received this morning a telegram setting forth that it is not prudent to pass this amendment; and he fur-

ther gives the reasons why the same should not be passed, in that there are but few boats that navigate for the period of one day or more, and that, for the security of life and property, it is absolutely essential that the number of watches provided for in this bill shall be kept and maintained at all hours, owing to the hazardous conditions of navigation upon the Great Lakes, which is greater than upon the ocean. He also points out how they place the sailor in occupations not connected with navigation—to do the work of the common laborer in nowise connected with navigation. He further shows the incompetency of the men now navigating the Great Lakes and the necessity for an immediate improvement along these lines.

I now read to you gentlemen the telegram, which is as follows and speaks for itself:

CHICAGO, ILL., July 22, 1912.

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.:

The division of watches, as provided by bill, is essentially necessary. There is no such thing as exclusive day service on Lakes. Where that term is used it applies only to a few of the passenger ships, and means all day and half or more of the night. All vessels, except harbor craft, which do not leave port, now carry two watches of sailors, because it is a physical impossibility to operate them otherwise. The only exception to this is four or five vessels sailing out of Detroit, one or two out of Toledo and Cleveland, and possibly two out of Buffalo, and these are passenger boats notoriously undermanned and dangerous. The real reason some shipowners object to provisions of bill regarding watches is not on account of so-called day service. A number of passenger vessels make a practice of working most of the deck crew at cargo all the time in port and letting them sleep between ports; result is that only two or at most three sailors, including man at wheel, are on watch while at sea. Many freight vessels work part of their deck crew all day while at sea, letting them sleep at night; result is that entire deck crew of immense 600-foot steamer on watch at night is one sailor at wheel and one supposedly on lookout, but who must look after everything on deck and many things below decks. This is a general practice and extremely dangerous, since the effect is that ship is dangerously undermanned. This can only be remedied by dividing sailors into two watches. All steamers on the Great Lakes, except exclusive harbor craft, have now at least two watches of firemen; many of them have already established the three-watch system for such men. Firing a steamship is mighty hard and hot work, and physical effect on men extremely bad unless they are given sufficient rest between watches.

V. A. OLANDER,  
Secretary Lake Seamen's Union.

That is from V. A. Olander, secretary of the Lake Seamen's Union?

Mr. HUMPHREY of Washington. Does not the gentleman know that Victor Olander does not represent any of the men on the Great Lakes?

Mr. GALLAGHER. Is that so?

Mr. HUMPHREY of Washington. Certainly that is so. I ask the gentleman if that is not true?

Mr. GALLAGHER. That is hardly true. And I will tell you why he does not represent a great many of them now. It is because there has been a strike on the Great Lakes for the past four years, and there is a war on between the vessel owners and the seamen, and the able seamen have been driven from the Lakes.

The present conditions on the Lakes are such as to make life and property insecure, for as I have already stated, navigation there is more dangerous than that on the sea or the ocean. Accidents occur there very frequently, due to these conditions, which should be safeguarded, whereas when we sought to obtain from Congress proper protection to human life in the way of safeguards on the railroads and the use thereon of safety appliances and other methods of protection, there was great opposition.

Conditions on the Lakes, so far as labor is concerned, are unbearable. Life on the Great Lakes is not held very sacred, when we take into consideration the fact that navigating the Great Lakes is more dangerous than navigating the sea. It is more hazardous, and storms occur more frequently.

As things exist on the Lakes to-day they are similar to what they were on the railroads years ago before Congress began legislating and compelling the railroads to adopt safety appliances for the protection of life. There is little or no record kept of the great number of lives that are sacrificed upon the Great Lakes. There is no systematic reporting of accidents as they occur. And while the Government has spent hundreds of thousands of dollars in building life-saving stations, erecting storm signals, the placing of buoys, and other devices for the protection of life, the owners of boats have given little care for the security of life upon the Great Lakes, or the lives of their employees, and, as I told the gentleman, nearly all of the capable seamen have been driven from the Lakes on account of the war between the vessel owners and the seamen, and in their places have been gathered a lot of incompetent and untrained seamen to fill positions calling for the most skilled and expert men.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. GALLAGHER. Certainly.



Mr. BUCHANAN. I would like to ask the gentleman if that war was not brought on by the unbearable conditions forced on the men, the able seamen, who were working on the Lakes?

Mr. GALLAGHER. That is exactly the fact; and let us see who owns these vessels.

Many of these great vessels on the Great Lakes are owned by the Steel Trust and the great railroads, the Pennsylvania, the Erie, the Lackawanna, the great wheat shippers, and these together with the coal-mining interests monopolize the shipping and have driven the private owners of vessels from the Lakes. These are the owners of the Lake vessels, and they have control of nearly all of the Lake traffic.

There is a bill now pending in the Senate for the protection of life at sea, the introduction of which was brought about by the recent great disaster to the *Titanic*, and an effort is being made to prevent hereafter a like disaster. The bill provides that upon all navigable bodies of water the vessels shall be supplied with wireless telegraph apparatus. Now, these same owners, the owners of these great boats, with few exceptions, come before Congress and petition Congress not to have the same requirements applied to the great freight boats navigating the Great Lakes, and we must remember that we have but few passenger boats in comparison with the freight carriers on the Lakes. The same objection to putting wireless apparatus on Lake boats was urged against putting two wireless operators on the great boats on the sea, and it was this which, in a measure, brought about the *Titanic* disaster. What is the use of legislating for seamen on the ocean and excepting the seamen on the Lakes? A comparison shows that the traffic on the Lakes and that entering many of the Lake ports is greater than that of any seaport in this country.

I have before me the report of the superintendent of canals at Sault Ste. Marie, which shows that—

Eighteen thousand six hundred and seventy-three ships of 41,653,488 net tons register passed through the canals during the season of 1911. Of this number 11,870 vessels of 22,321,519 net tons register passed through the United States canal, and 6,803 vessels of 19,331,969 net tons register passed through the Canadian canal. \* \* \* The freight carried through the Canadian canal was 30,953,869 tons as against 22,523,347 tons for the American canal.

When we compare these figures with those of the Suez Canal traffic, we see how far greater they are and how much more voluminous the tonnage is here. The following is a table showing for the year 1909 the gross and net tonnage of vessels passing through the Suez Canal:

Gross	21,500,847
Net	15,407,527

This is less than one-half the net tonnage of our canals.

In Chicago we are going to work now to expend four or five million dollars in the improvement of our harbor; money that will be raised by the people of the city to make these improvements. We are doing it in an effort to increase Lake traffic and make it possible for the larger boats to land in Chicago. As a result of conditions on the Lakes, traffic has been driven from them, and I suppose it is the same reason that has been driving it from all of the great rivers. We are expending millions of dollars to improve and increase water-borne traffic; let us bring about by legislation that which will make life bearable on the Great Lakes, and let us oppose this amendment.

I have here, Mr. Speaker, a number of communications from different organizations in the city of Chicago, as follows:

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.

We kindly request you to give your undivided support and attention to House bill 23673 and use all your influence and prestige that it will not be mutilated and made useless by amendments.

Baker and Confectionery Workers' International Union of America, General Executive Board, and International Executive Officers, Chas. Iffland, A. A. Myrup, Chas. F. Hohmann; Otto E. Fischler, International Secretary.

AUTO LIVERY CHAUFFEURS' UNION,  
Chicago, July 20, 1912.

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.

DEAR SIR: All labor organizations in the city of Chicago are desirous of having the seamen's bill (H. R. 23673) made a law. If there is anything that you can do to help it along, you will do myself and all union men in Chicago a great favor.

Trusting this is not asking too much of you, I remain,  
Respectfully, yours,

T. F. NEARY, Secretary-Treasurer Local 727.

CHICAGO TYPOGRAPHICAL UNION, July 20, 1912.

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.

DEAR SIR: The seamen's bill (H. R. 23673) will, we understand, come up for action on Monday, July 22.

In behalf of Chicago Typographical Union, No. 16, we respectfully urge that you do what you can to see that this bill is enacted into law at the present session of Congress.

Yours, very truly,  
WALTER W. BARRETT, President.  
JOHN C. HARDING, Recording Secretary.

1445 WEST LAKE STREET, CHICAGO, July 19, 1912.

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.  
DEAR SIR: As bill H. R. 23673 is now before Congress, I respectfully urge you to give it your support in its present form.

Yours, truly,

ALEX MCKECHNIE.

CHICAGO PRINTING PRESSMEN'S UNION,  
Chicago, July 18, 1912.

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.

DEAR SIR: Understanding that the seamen's bill (H. R. 23673) will come up for action on Monday, and believing that the same is for the benefit of human life and liberty, we respectfully ask you to give the bill, as reported by the committee, your support and vote. We are not in favor of mutilating or destroying this bill by amendment.

Again urging upon you the importance, not only to the seamen but also to the traveling public, of the enactment of this bill, we remain,  
Yours, very truly,

CHICAGO PRINTING PRESSMEN'S UNION No. 3.  
JOHN J. KAPP, Secretary-Treasurer.

CHICAGO PRINTED BOOKBINDERS AND  
PAPER CUTTERS' UNION, OFFICE OF THE SECRETARY,  
Chicago, Ill., July 20, 1912.

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.

DEAR SIR: We, the members of the above local union, respectfully request your support in the passage of House bill No. 23673, and sincerely trust that the bill as reported by the committee is not mutilated or destroyed by amendments.

Thanking you in advance for your cooperation in this matter, we beg to remain,  
Yours, respectfully,

CHICAGO PRINTED BOOKBINDERS AND PAPER  
CUTTERS' UNION, No. 8, I. B. OF B.,  
By OTTO F. WASEM, Secretary-Treasurer.

INTERNATIONAL ASSOCIATION OF MACHINISTS,  
BRASS WORKERS' LODGE No. 766,  
Chicago, Ill., July 20, 1912.

HON. THOMAS GALLAGHER.

DEAR SIR: At a special meeting called Saturday, July 20, at 2 p. m., at our regular meeting hall, it was regularly moved that we write a few lines in behalf of Lake District International Seamen's Union and request your honor to do all in your power to urge its enactment in the form favorably reported by the committee—seamen's bill (H. R. 23673)—and kindly request that it be not torn to pieces and destroyed by amendments.

Hoping you will do all in your power to have this bill passed, and thanking you in advance, I am,  
Yours, truly,

HERMAN KRAUS,  
Recording Secretary, Machinists No. 766.

CHICAGO WAITRESSES' UNION,  
Chicago, July 20, 1912.

HON. THOMAS GALLAGHER.

DEAR SIR: The Chicago Waitresses' Union, Local 484, request that you assist in the passage of House bill 23673, and see to it that the bill is not destroyed by amendment, but that it is passed as the committee reported it.

Hoping you will comply with our request, we remain,  
Respectfully,

[SEAL.] CHICAGO WAITRESSES' UNION.  
ELIZABETH MALONEY, Secretary.

UPHOLSTERERS' DISTRICT COUNCIL OF CHICAGO,  
Chicago, July 20, 1912.

HON. THOMAS GALLAGHER, Congressman.

DEAR SIR: We, members of Local No. 111 of the Upholsterers' International Union of North America, representing 170 voters in the city of Chicago, ask you in behalf of the safety of the traveling public on the Great Lakes and seas to favor the passage of the seamen's bill (H. R. 23673).

Thanking you in advance for the favor you may do those who travel and those who work on Great Lakes and seas, I beg to remain,  
Yours, truly,

[SEAL.] R. J. HULL,  
Secretary Local No. 111,  
234 North Clark Street, Chicago, Ill.

METAL POLISHERS, BUFFERS, AND PLATERS' UNION,  
Chicago, July 20, 1912.

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.

DEAR SIR: We wish to take this opportunity of thanking you for the reports and records sent to us by you, and to also ask you to support and vote for H. R. 23673.

Hoping you will use your influence in preventing the mutilation of this bill by amendments, etc., and that we will see your vote recorded in favor of this bill (H. R. 23673), we are,  
Respectfully, yours,

[SEAL.] METAL POLISHERS' UNION, LOCAL No. 6,  
38 South Peoria Street, Chicago, Ill.

WOODEN BLOCK AND BRICK PAVERS' UNION,  
Chicago, July 20, 1912.

HON. THOMAS GALLAGHER,

DEAR SIR AND FRIEND: I wish you would do all you can for the Lake Seamen's Union bill, which is coming up before the House Monday, and by so doing you will confer a favor to me and also to organized labor, and you can rest assured that it will not be forgotten.

Hoping this will meet with your approval, Tom, I will close.  
Fraternally, yours,

TED SCULLY,  
Secretary Wooden Block and Brick Pavers' Union,  
1026 South May Street.

WOMEN'S TRADE UNION LEAGUE OF CHICAGO,  
July 19, 1912.

HON. THOMAS GALLAGHER,  
House of Representatives, Washington, D. C.

DEAR SIR: The Women's Trade Union League of Chicago, having an affiliated membership of over 10,000 men and women, ask you to support the seamen's bill (H. R. 23673) as it was reported by the committee in the House of Representatives July 18, 1912.

Will you give your support to the seamen's bill (H. R. 23673) and assist in safeguarding both the public and the seamen?

Hoping that you will comply with this request, I am,

Very truly, yours,

EMMA STEGHAGEN, Secretary.

INTERNATIONAL BROTHERHOOD OF TEAMSTERS,  
CHAUFFEURS, STABLEMEN, AND HELPERS,  
Chicago, Ill., July 20, 1912.

HON. THOMAS GALLAGHER,  
Washington, D. C.

DEAR SIR: We, the Packing House Teamsters and Chauffeurs' Union, Local 710, 700 strong, again urge upon you and request of you to vote for and work for the seamen's House bill 23673. The public demand it.

We beg of you not to allow it to be torn to pieces and destroyed by amendments. We urge its enactment in the form favorably reported by the committee.

Feeling certain you will grant us this favor, and thanking you in advance, we remain,

Fraternally, yours,

LOCAL 710.  
GEO. F. GOLDEN,  
Secretary-Treasurer.

TUG FIREMEN AND LINEMEN PROTECTIVE ASSOCIATION  
OF THE GREAT LAKES,  
Chicago, July 20, 1912.

HON. THOMAS GALLAGHER.

DEAR SIR: We, the members of the Tug Firemen and Linemen Protective Association, Local No. 1, port of Chicago, are very much interested in the passage of the seamen's bill (H. R. 23673) which is now before United States House of Representatives, and ask you to please grant us the favor of supporting this bill and have the bill reported out at the next hearing, asking you as Representative of the eighth district to see that the bill is not mutilated or destroyed by amendments.

Hoping you will grant us this favor, I remain,

Fraternally, yours,

[SEAL.]

EDWARD MCCORMICK,  
5615 Carpenter Street.

I offer these to show that the organized workmen of Chicago know exactly what the provisions of this bill are, so far as traffic on the Great Lakes is concerned, and they do not want this bill amended or mutilated in any way.

The laboring people of this country are making every effort to improve the conditions of labor everywhere. They are earnest in their efforts for the welfare of all who toil, whether before the mast or on the shore; whether in the hold of a ship or in the bowels of the earth. They are striving for the betterment of humanity, and I am anxious to give them an opportunity for the betterment of conditions upon the sea as this bill provides, and I hope it will pass in its original form and that this amendment will be voted down. [Applause.]

Mr. HUMPHREY of Washington. Mr. Speaker, I want to reply briefly to some statements that the gentleman from Illinois [Mr. GALLAGHER] has made in regard to the Great Lakes, and I hope the gentleman will give me his attention. I never made a statement to the effect that men who are not upon these vessels had not made complaint about their condition. The statement I made, and I think it is absolutely true, was that, so far as the committee knows, there is no complaint from the men themselves who are employed on the Great Lakes. Mr. Olander, as I understand it, does not represent the firemen upon the Great Lakes—that is, those who are actually working. He represents the union. As I understand, some two or three years ago there was some difficulty between the Lake Carriers' Association and the union, and since that time the men on the Great Lakes are not represented by Mr. Olander.

Mr. WILSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREY of Washington. Certainly.

Mr. WILSON of Pennsylvania. As a matter of fact, prior to the strike Mr. Olander represented the great bulk of seamen and firemen on the Lakes. Since that time other men have been employed by the members of the Lake Carriers' Association, so that the members of the union are no longer employed by the members of the Lake Carriers' Association; but Mr. Olander represents yet a large number of men who are employed on independent vessels that are not a part of the Lake Carriers' Association.

Mr. HUMPHREY of Washington. If Mr. Olander represents any of the firemen on the Great Lakes, his statement is entitled to weight as such; but I do not understand that he does represent any of the firemen on the Great Lakes, and, so far as the two watches on the deck are concerned, we have no objection to that. That portion of the telegram which the gentleman read in regard to two watches on the deck nobody is objecting to. Most of the vessels, I think, have adopted two watches on deck already.

Mr. GALLAGHER. But the gentleman desires us to exclude the Lakes from the provisions of this bill.

Mr. HUMPHREY of Washington. And the reason I do it is this: As I said, there has been no complaint before our committee that any of the firemen make objection to present conditions. As I further understand the fact to be, in a great many cases it would increase the number of firemen by one-third on the vessel, and the firemen themselves prefer conditions as they now are.

I want to read now the only communication, so far as I know, that the committee has received upon that subject. This is a letter received from Mr. Harvey D. Goulder, who is attorney for the Lake Carriers' Association, and I will read one paragraph from it. He says:

We on the Great Lakes have endeavored to be fair with our employees. We have no complaint from them in regard to this matter. We are willing to submit to any investigation on the subject which involves the possible humiliation that, having endeavored to be fair and even generous, we are called before your honorable committee by those who in no sense or degree represent the men in our employ—

And he was there referring to Mr. Olander, I presume—

with whom we are honestly and conscientiously endeavoring to deal justly and honestly as man to man, recognizing the obligation and asking only due reciprocal obligation of fairness between employer and employee.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREY of Washington. I yield to the gentleman.

Mr. GALLAGHER. I understood and read from the record the gentleman said that the committee had no complaints, that there were no complaints so far as the committee was concerned.

Mr. HUMPHREY of Washington. Before the committee, representing the men on the Great Lakes. If Mr. Olander represents any of them, I withdraw the remarks to that extent.

Mr. GALLAGHER. The gentleman said there was no dissatisfaction so far as the committee knows. My object in bringing this information is to give it to the House, which is passing upon this bill, and to show the Members of the House the conditions that actually exist.

Mr. HUMPHREY of Washington. Well, the point I am making is that the man who appeared before our committee and objected did not represent the men on the vessels—

Mr. GALLAGHER. I think I am pretty well advised in regard to the attorney for the Lake Carriers' Association—

Mr. HUMPHREY of Washington (continuing). In other words, as I understand it, on the Great Lakes trouble exists—I am not assuming anything whatever as to who is right or wrong—

The SPEAKER. The time of the gentleman has expired.

Mr. HARDY. Mr. Speaker, I ask that the gentleman may have two minutes more, in order that he may answer a question.

Mr. SHERLEY. Mr. Speaker, I amend that by making it five minutes.

The SPEAKER. The gentleman from Kentucky amends by making it five minutes. Is there objection to the extension to five minutes? [After a pause.] The Chair hears none.

Mr. HARDY. The gentleman reads a communication from Mr. Harvey J. Goulder. Has he not for years and years been the regular representative of the shipowners in opposition to almost every reform measure in regard to seamen before the Committee on Merchant Marine and Fisheries?

Mr. HUMPHREY of Washington. Why does the gentleman take up the time of the House to ask that question, because when I mentioned the name I said that he was the representative of the Lake Carriers' Association?

Mr. HARDY. The gentleman can answer the question.

Mr. HUMPHREY of Washington. I refuse to yield further—

The SPEAKER. The gentleman declines to yield.

Mr. HUMPHREY of Washington (continuing). Because it carried the implication that I undertook to read something without stating who the gentleman was that made it.

The SPEAKER. The gentleman declines to yield.

Mr. SHERLEY. What I wanted to ask the gentleman and what I think this House is interested in—

Mr. HARDY. Mr. Speaker, a question of order.

The SPEAKER. The gentleman will state it.

Mr. HARDY. I asked permission that the time of the gentleman be extended for the purpose of asking him a question.

The SPEAKER. So soon as the time was extended the gentleman from Texas lost control of it.

Mr. HUMPHREY of Washington. I yielded to the gentleman. I will yield to the gentleman again if he wants to ask a question.

Mr. HARDY. I suggest to the gentleman whether he simply will answer the question whether for years Mr. Goulder has not



been filling the position and taking the position of opposition to every reform measure for the good of the seamen?

Mr. HUMPHREY of Washington. I will say to the contrary Mr. Goulder has not occupied any such position. He is the representative of the Lake Carriers' Association, but he has not opposed all measures in favor of seamen, but, on the contrary, has often favored such legislation. Here is a letter addressed to the committee that shows exactly what his position is.

Mr. HARDY. Has there ever been any bill before the Committee on Merchant Marine and Fisheries that he has not opposed which was for the benefit of seamen?

Mr. SHERLEY. Mr. Speaker, I would like to ask the gentleman this question: I think it is immaterial whether a complaint has been made or not—

Mr. HUMPHREY of Washington. So do I.

Mr. SHERLEY (continuing). But what I would like to know is what reason exists, if any, by which a rule which seems to be proper to apply to the over-sea trade should not also apply to the Great Lakes trade?

Mr. HUMPHREY of Washington. And this applies also to river trade.

Mr. SHERLEY. All right. What reasons are so different on the rivers and on the Great Lakes as to warrant a change in a rule to apply to the sea?

Mr. HUMPHREY of Washington. Unfortunately the gentleman was not here yesterday when that was fully explained and I will explain it again.

Mr. SHERLEY. A portion of it I did hear, but not on that point.

Mr. HUMPHREY of Washington. One reason for it is this. For instance, a great many lake vessels make a complete voyage, say, in 18 hours and I gave an illustration where they would run during the day and tie up at night. What is the use of having three shifts of firemen of eight hours each on a vessel of that kind?

Mr. SHERLEY. Very true, but quite a number of lines do run for a longer period. If you are trying to reach the matter thoroughly is not the proper way to make your amendment apply simply to those cases where the voyage is of such a short duration as not to make necessary three shifts, and is it fair to offer an amendment that excludes all lake traffic, some of which extends over a period of days, as I personally know?

Mr. HUMPHREY of Washington. It is not upon the hypothesis which the gentleman assumes, but here is the further condition that most of the Lake traffic vessels are of modern construction, and the arrangements in regard to firemen are different from what they were in the old vessels. In other words, the firemen on the Great Lakes vessels now have communication with the outer air which makes it a far easier place to work.

Mr. SHERLEY. What does the gentleman mean by modern construction? I have spent a great many summers on the Great Lakes, and I personally have seen on the Lakes vessels in the carrying trade 10 and 15 and 20 years old.

The SPEAKER. The time of the gentleman has again expired.

Mr. SHERLEY. Mr. Speaker, I ask that the gentleman may have five minutes more.

The SPEAKER. The gentleman asks unanimous consent that the gentleman's time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREY of Washington. Now, answering the gentleman's question in regard to the length of voyage, I agree that he is right. I would accept an amendment of that kind. I tried to get an agreement that we might insert a provision such as he suggests. I do not think it ought to apply to the Great Lakes at all, but on the other hand it certainly ought not to vessels that only make short runs.

Mr. SHERLEY. Then do I understand the gentleman's position is that he indorses it as necessary on the high seas and not on the Great Lakes?

Mr. HUMPHREY of Washington. No; I do not think—

Mr. SHERLEY. If the gentleman thinks it is proper on the high seas, would he not be ready to concede that there are certain conditions on the Great Lakes where it is proper?

Mr. HUMPHREY of Washington. Conditions are not the same. You take it on the Pacific coast, between Seattle and San Francisco, and the vessel owners have adopted the three-watch system, as I understand, and there is no objection to it. Those voyages are longer and somewhat rougher. Now, it seems to me if it was for the advantage of those vessels on the Great Lakes, it would have been adopted. The local inspector—

Mr. SHERLEY. If the gentleman is going on the assumption that whatever is desirable from the standpoint of humanity will be adopted by the owners of the vessels, then all legis-

lation is unnecessary, and we may leave to their enlightened judgment all reform.

Mr. HUMPHREY of Washington. About two years ago we passed a bill leaving these matters to the local inspector, and that law has worked well, and if this amendment was adopted it would still be that way. And I think we are making a mistake when we attempt to legislate in detail, because there is such a difference in vessels. Few of them run under exactly the same conditions, and when we attempt to legislate we are going to oppress one vessel and let another escape proper manning.

Mr. SHERLEY. Does the gentleman think there is any greater difference in the character of vessels engaged in the trade on the Great Lakes than in the character of the vessels engaged in the trade on the ocean?

Mr. HUMPHREY of Washington. No; I do not think there is any greater difference.

Mr. SHERLEY. If you can apply uniform rules to vessels of widely different types on the sea, why can not you do it on the Lakes?

Mr. HUMPHREY of Washington. The difference is, that the vessels which run on the sea make long voyages, and they do not make these short stops as on the Lakes, and they are of different construction.

Mr. SHARP. If the gentleman will permit, I will say that I have lived nearly all my life on the Great Lakes, and I represent a constituency that lives at one of the greatest harbors on the Lakes. It has been my pleasure, and duty as well, in a business capacity to sail the Great Lakes for 20 years, at least, past. And I wish to say for the gentleman's information that if he will look up the statistics of the amount of tonnage that is carried on the Great Lakes, I believe I will be sustained when I say that at the present time, and for years past, fully 85 per cent, if not 90 per cent, of all the tonnage that is now carried on the Great Lakes involves a voyage of from two to three days, running from Lake Superior points and upper Lake Michigan points, where we have the great ore carrying trade, down to Lake Erie ports one way, and returning with coal cargoes from the Lake Erie ports, carrying the coal of West Virginia, Ohio, and Pennsylvania, to the upper Lakes, involving a return trip of two or three days. So, it seems to me, that so far as the number of watchmen are concerned, it should apply to the Great Lakes.

Mr. HUMPHREY of Washington. So far as distance is concerned, it should.

Mr. SHARP. But it takes it at least two or three days to make those voyages, involving 85 to 90 per cent of the total amount of tonnage.

Mr. BUCHANAN. Mr. Speaker—

The SPEAKER. The time of the gentleman from Washington [Mr. HUMPHREY] has expired, and all time on this amendment has expired.

Mr. MANN. Mr. Speaker, I move to strike out the last word of the amendment. May I ask, in reference to the language of the bill, what is the definition of "merchant vessel"?

Mr. WILSON of Pennsylvania. Merchant vessels, as I understand it, are vessels that carry cargoes or passengers for hire.

Mr. MANN. Would this provision, "merchant vessels while at sea," cover a little passenger tug operating upon an inland lake?

Mr. WILSON of Pennsylvania. It would not cover anything except those of 100 tons register or more, except fishing vessels, yachts, and whaling vessels. It covers all others going to sea and on the Great Lakes, because the Great Lakes have been held to be the sea, and I so interpret it.

Mr. MANN. Would it cover vessels on rivers and off the Great Lakes and on small inland lakes?

Mr. WILSON of Pennsylvania. It does not cover vessels on the rivers or on the harbors of small inland lakes.

Mr. SHERLEY. Does not the gentleman understand that a navigable river is considered the same as the sea in the sense of admiralty and maritime law? That is my impression, although I have not looked at it recently.

Mr. WILSON of Pennsylvania. It is not so, so far as the term "sea" in legislation is concerned. The term "sea" in legislation is held by the navigation authorities to consist of the oceans and the Great Lakes, and other distinctions are made, although they are under the general maritime regulations, in rivers and harbors.

Mr. MANN. I have no doubt the gentleman has looked the matter up, and I am satisfied with his statement. I know recently we have passed some laws for the purpose of applying certain conditions to the Great Lakes where before the law only applied to vessels on the ocean, and my impression was

that it said "while vessels were at sea." I may be mistaken. It may have said "upon the ocean."

Mr. SHERLEY. If the gentleman from Illinois will permit, I have not had occasion for some time to look at this matter, although I once served on the committee reporting this bill. The old English rule was that admiralty jurisdiction extended only to waters where the tide ebbed and flowed. Very early in the history of America the question came up as to whether that rule was any longer applicable, and it resulted in a different rule being adopted, because navigable waters of great size were then known where the tide did not ebb and flow. They abolished the old rule, and held that the rivers and lakes that were navigable came within the maritime jurisdiction of the Constitution.

Without wanting to question the gentleman's statement, my impression was rather pronounced that language such as this would embrace the navigable rivers.

Mr. MANN. If the gentleman will permit, the maritime jurisdiction under the Constitution—

Mr. SHERLEY. Admiralty—

Mr. MANN. Covers all except the control over interstate commerce. Admiralty jurisdiction is another proposition.

Mr. SHERLEY. "Admiralty jurisdiction" is what I meant to say, if the gentleman will permit, instead of "maritime jurisdiction."

Mr. MANN. I wondered how far the term "at sea" would cover. I can readily imagine that there are many cases where vessels may be navigating upon some small lake for the purpose of carrying passengers, so that the Government would have control over it where it would not be possible to have three watches, or even two watches.

Mr. SHERLEY. I agree with the gentleman; and, on the other hand, there are certain cases on the rivers where they ought to have three watches; and what I think we ought to do is to make the bill plainly indicate what it embraces.

Mr. MANN. It may not be possible to do that.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. MANN. I yield to the gentleman.

The SPEAKER. The gentleman from Illinois had the floor, and his time has expired.

Mr. BUCHANAN. Mr. Speaker, I move to strike out the last two words.

The SPEAKER. The gentleman from Illinois [Mr. BUCHANAN] moves to strike out the last two words. The gentleman has five minutes.

Mr. BUCHANAN. The Lake Carriers' Association that has been mentioned here, from the information I have, is dominated by the Steel Trust. According to recent reports made by the United States Bureau of Labor and other information that we have, we find that the United States Steel Corporation employees are to the extent of about 60 per cent un-Americanized foreigners.

It has been stated here by the gentleman from Washington [Mr. HUMPHREY] that Mr. Olander does not represent the great majority of the Americanized workmen working now on the Great Lakes. By the way, I happen to know Mr. Olander, and I believe he is one of the ablest and most sincere and honest men that I have had the pleasure of knowing in the trades-union movement. Due to the fact that there has been a strike on for some years, there is no doubt that the Steel Trust, dominating this Lake Carriers' Association, will practice the same methods to defeat the movement that is being made in the endeavor to keep the workmanship on the lake vessels up to the standard that ought to be maintained in America.

Mr. HOWLAND. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Ohio?

Mr. BUCHANAN. Not yet. Therefore they will endeavor to defeat the effort that is being made by the men whom Mr. Olander represents, the men who have selected him to carry out what they desire, the men who voted by a large majority for a strike when they were working as a class on the lake steamers. Some might say that this was Mr. Olander's strike; that he ordered it. But let us be fair about the matter and know how these strikes occur.

The strike was ordered by the men who were working on the lakes themselves, because this monstrous Steel Trust had got control of the affairs of the Lake Carriers' Association, and therefore had created conditions that were unbearable to the men who were working there. And when anyone says that Mr. Olander does not know what conditions American workmen would want on the lake steamers in this country, he is certainly making a statement that can not be borne out by the facts.

Mr. HOWLAND. Will the gentleman yield now?

Mr. BUCHANAN. Yes.

Mr. HOWLAND. I would like to ask the gentleman what authority he has for the statement that the Steel Trust dominates the Lake Carriers' Association? My information is—and I think it is fairly accurate—that the Steel Corporation controls only 20 per cent of the tonnage represented by the Lake Carriers' Association.

Mr. BUCHANAN. Well, I do not know whether the evidence would be sufficient to state here as a matter of record, but I have information that is sufficient for me, and it leads me to believe that the Steel Trust, with its interlocking interests, has got control not only of the vessels on the sea, but is getting large control to-day of all the business in this country, even of the banks and other big corporations of the country; and while it may not apparently control this directly, yet the men who are directors of the steel company have interests sufficient in the vessels that are operating on the lakes to have control of and direct the course and action of that association, and they do it, in my judgment. There is not a shadow of a doubt in my mind but that that is true.

Mr. MOORE of Pennsylvania. Mr. Speaker, I move to strike out the last two words.

The SPEAKER. That is the motion that is pending now.

Mr. MOORE of Pennsylvania. The last three words, Mr. Speaker.

The SPEAKER. The gentleman from Pennsylvania moves to strike out the last three words.

Mr. MOORE of Pennsylvania. I would like to have the attention of the gentleman from Missouri [Mr. ALEXANDER], who is in charge of this bill. Yesterday I spoke of some imperfections in the bill, as I believed them to be, but the gentleman from Illinois [Mr. MANN] has raised a question which induces me now to ask as to the uncertainty of certain expressions in the bill. Yesterday, in one paragraph we had reference to "seamen" in one line and in another line to "sailors," evidently intended to mean the same thing, but leaving an opening for a legal quibble should one or other be interpreted in law to mean something that the other did not mean.

Mr. ALEXANDER. When this amendment shall have been disposed of, I am going to ask that the word "sailors," in line 10, be stricken out and the word "seamen" inserted in lieu thereof.

Mr. MOORE of Pennsylvania. I wanted to ask the gentleman now in regard to the interrogatory of the gentleman from Illinois [Mr. MANN], who asked about the meaning or interpretation of the term "merchant vessels."

Mr. WILSON of Pennsylvania. If the gentleman will permit me, it is right in connection with the very point that the gentleman is raising, with regard to the word "seamen" as confused with the word "sailors." In the first instance the word "seamen" is used because that includes all of the employees on the vessel. In the second instance the word "sailors" is used because that includes only the deck hands on the vessel.

Mr. MOORE of Pennsylvania. I question whether that would be borne out in nautical nomenclature.

Mr. WILSON of Pennsylvania. Those are the meanings of the terms.

Mr. MOORE of Pennsylvania. I doubt that, because later on in the bill you propose to define an able seaman, and you distinguish him from a sailor, and you distinguish him from a fireman.

But that is not the question I wanted to ask the gentleman from Missouri. The gentleman from Illinois asked as to merchant vessels. Now, on page 2, in the first section, in line 9, reference is made to "all merchant vessels of the United States." I draw attention to that particular characterization. On page 3, the very next page, in the second section, reference is made to the master or owner of "any vessel." That is in line 8. That is the second proposition. You change front in the two sections as to the nature of the vessel, or as to the characterization of it.

On page 4, in the next section, in line 7, you refer to "a vessel of the United States."

You have three distinct characterizations of vessels in those three separate sections. What is intended? Do you want to frame this bill so that when a question is raised in court, a horse and wagon can be driven through the bill? Why in one relation do you say "seaman" and in another "sailor"? Why in one section do you say a "merchant vessel," which is presumed to be as defined by the gentleman from Pennsylvania [Mr. WILSON], and in another section say "any vessel," which may include anything from a bateau up to a leviathan of the ocean, and in a third paragraph say "a vessel of the United States."



Later on I propose to raise the question as to what you mean by "a vessel of the United States."

Mr. WILSON of Pennsylvania. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes; I yield.

Mr. WILSON of Pennsylvania. In the first place, each of these sections applies to different purposes. One section is only meant to apply to merchant vessels. The next section that the gentleman refers to—

Mr. MOORE of Pennsylvania. I am afraid the gentleman will have difficulty in harmonizing those three suggestions.

Mr. WILSON of Pennsylvania. The next section is meant to apply, so far as wages are concerned, to all vessels, whether they are of the United States or of foreign countries. Then the next section is meant to apply purely to vessels of the United States; so that each has a specific purpose.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask for five minutes more.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. What do you mean, then, on page 4, line 7, when you say "every seaman on a vessel of the United States shall be entitled to receive," and so forth? You intend that that shall apply to every seaman; but, apparently, according to the language of the bill, you make it apply only to those seamen who are employed on "vessels of the United States," which I assume to be vessels owned by the United States. If you mean vessels of United States register, then you mean merchant vessels, but you do not say so.

Mr. ALEXANDER. If the gentleman wants light on that question, I will read him the definition given by the navigation laws.

Mr. MANN. What is the gentleman reading from?

Mr. ALEXANDER. From our navigation laws, page 15, section 2:

Vessels registered pursuant to law and no others, except such as shall be duly qualified according to law for carrying on the coasting or fishing trade, shall be deemed vessels of the United States, and entitled to the benefits and privileges appertaining to such vessels; but no such vessel shall enjoy such benefits and privileges longer than it shall continue to be wholly owned by a citizen or citizens of the United States or a corporation created under the laws of any of the States thereof, and be commanded by a citizen of the United States. And all the officers of vessels of the United States who shall have charge of a watch, including pilots, shall in all cases be citizens of the United States.

So that "a vessel of the United States" is a vessel that belongs to a citizen or a corporation of the United States.

Mr. MOORE of Pennsylvania. If the gentlemen in charge are satisfied to have this bill come before the House in such form that in three successive paragraphs a vessel is defined in three different ways, of course the responsibility is upon them. I assume they intend to do the seamen some service.

Mr. ALEXANDER. That is not the question now pending before the House. It will be well enough to take it up when we come to it. I will say to the gentleman that I did not frame the language of this bill.

Mr. MANN. Mr. Speaker, I ask unanimous consent for two minutes.

The SPEAKER pro tempore (Mr. LITTLEPAGE). The gentleman from Illinois ask unanimous consent for two minutes. Is there objection?

There was no objection.

Mr. MANN. I find in several places in the statute references like this:

Sec. 4318. Every vessel of the United States navigating the waters on the northern, northeastern, and western frontiers otherwise than by sea shall be enrolled and licensed in such form as other vessels.

There are a number of places where that expression occurs. I call the attention of the gentleman to it, in connection with this expression "at sea," to ask him whether or not he is perfectly clear that this expression in the bill will cover the Great Lakes.

Mr. ALEXANDER. Mr. Speaker, I will state frankly to the gentleman I do not think it will.

Mr. WILSON of Pennsylvania. I recall looking the matter up as to time, and my impression is that we found a statute that provided that the Great Lakes should be considered the same as the sea. I am not able to place my hand on the statute at the present time.

The SPEAKER pro tempore. The question is on the adoption of the amendment.

Mr. McMORRAN. Mr. Speaker, I ask unanimous consent that the amendment be again read.

Mr. SHERLEY. Mr. Speaker, I call for the regular order. We can not have it read at a time when the House is dividing.

Mr. MANN. But the House has not yet commenced to divide. The SPEAKER pro tempore. Without objection, the Clerk will again read the amendment.

There was no objection, and the Clerk again reported the amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken.

Mr. McMORRAN. Mr. Speaker, on that I demand the yeas and nays.

Mr. ALEXANDER. Mr. Speaker, I want to say that if the gentleman from Michigan persists in making the point of no quorum I shall move the previous question on this bill to its final passage, and he will defeat the very purpose that he has in view.

The SPEAKER. The gentleman from Michigan demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] One Member has risen; not a sufficient number, and the yeas and nays are refused.

Mr. McMORRAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Michigan makes the point of order that there is no quorum present.

Mr. ALEXANDER. Mr. Speaker, will the gentleman withdraw his point of no quorum?

Mr. McMORRAN. Mr. Speaker, I will withhold it for the present.

Mr. MANN. What becomes of the amendment, Mr. Speaker?

The SPEAKER. The amendment is rejected.

Mr. ALEXANDER. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 10, after the word "States," insert the words "navigating the ocean or any lake, bay, or sound of the United States," and strike out in the same line the words "while at sea."

The SPEAKER. The question is on agreeing to the amendment.

Mr. WARBURTON. Mr. Speaker, I would like to ask the gentleman a question. We have on Puget Sound boats that will leave a city at 6 o'clock in the morning and return at 6 o'clock the same night and tie up for the night. Would that include a vessel of that kind?

Mr. ALEXANDER. I am inclined to think that the words "at sea" would include vessels on the Great Lakes, but it would not include vessels on rivers.

Mr. WARBURTON. This is on Puget Sound.

Mr. ALEXANDER. Mr. Speaker, I will withdraw the amendment.

Mr. McMORRAN. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 3, line 4, at the end of section 1, insert the following: "Or to vessels or steamers of 1,500 tons register and tonnage operated on the Great Lakes."

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Michigan.

Mr. McMORRAN. Mr. Speaker, in behalf of this amendment I desire to address the House for a few minutes. I wish to say that the condition on the Lakes is entirely different from that on the ocean. We have a large number of steamers on the Lakes that are owned by independents, some of them by men who have their life savings locked up in an investment of 1,000 tons to 1,500 tons, as against those vessels carrying ten or twelve or fourteen thousand tons of ore. Under the most rigid economy it is impossible to expect a man to operate a vessel of 1,500 to 2,500 tons cargo in competition with one carrying ten or twelve or fourteen thousand tons. The clause in the bill requiring an additional fireman on the smaller class of boats is simply imposing a further burden upon the owners of those boats, and in the end will result in confiscation. During the consideration of this bill we have had a discussion of the trusts by the gentleman from Illinois [Mr. BUCHANAN]. He refers to the great Steel Trust. I had supposed that the discussion of the trusts coming from that side of the House would have been left in the rear.

During my service in this House for a number of years I have heard that side of the House clamoring and charging the Republican Party with being the mother of trusts and corporations, and yet you bring in here in this bill under section 1 a clause which, if it shall become a law, will have the effect of building up one of the most arbitrary trusts that exists in the country to-day. You will simply dictate to the smaller class of

vessels the number of men that they shall carry on their ships, the number of hours that they shall work; and if they are not able to comply with the terms of the bill they are simply to take their boats to the dock and let them lie there to rot. I think the time has come when the Democratic Party can afford to be fair and just to all people. You are now before the country hoping to carry it this fall—and I hope you will be buried so deep that you will never know that you have run a ticket—and it is a poor time for you at this section of the game to commence defending the trusts or to legislate here in establishing and constructing a trust. I am opposed to this bill. I am in favor of the workingman, and I am in favor of the sailor. I have had to do with sailors on the Great Lakes for the past 40 years, and I never yet have had a strike or a complaint from any sailor that I have ever had as to his wages or treatment; and as to the statement that the Steel Trust controls the tonnage on the Great Lakes, that is a mistake, and the gentleman who made it was in error.

There are a large number of men who are known as independents that have their independent steamers on the Lakes, and so far as the Steel Trust is concerned they are the strongest competitors to-day with the small boats. They have been paying liberal wages, and more so than any class of vessels that operate on the Great Lakes.

Mr. FOWLER. Mr. Speaker—

The SPEAKER. Does the gentleman yield to the gentleman from Illinois?

Mr. McMORRAN. I decline to yield at this time. I have had men in my employ for a number of years, men who started on the deck as deck hands, who are to-day commanding some of the steel steamers on the Great Lakes, drawing salaries from \$2,000 to \$2,500 a year, and they are men who are well worthy of the positions they occupy, and I think that the steel company are entitled to the credit of the efforts they have made in behalf of the work of the sailors on the Lakes. They have provided every comfort that could be provided in good steamers, and I think it comes with ill grace from any Member on that side of the House to charge the Steel Trust with being unfair to labor. I have no interest in the Steel Trust; I only wish I owned some of their stock.

The SPEAKER. The time of the gentleman has expired.

Mr. WILSON of Pennsylvania. Mr. Speaker, it occurs to me it is just as hot in the boiler room of a 1,500-ton vessel on the Lakes as it is on the ocean. It is just as hot when the vessel is owned by an individual or a small corporation as it is when it is owned by a trust.

Mr. McMORRAN. Will the gentleman yield?

Mr. WILSON of Pennsylvania. Yes.

Mr. McMORRAN. Do I understand the gentleman to say it is just as hot in the fire hole of a vessel of 1,500 tons register on the Lakes as in a steamer on the ocean?

Mr. WILSON of Pennsylvania. Of the same size; yes.

Mr. McMORRAN. Of the same size. Well, I am referring to 1,500-ton vessels.

Mr. WILSON of Pennsylvania. I say it is just as hot in the boiler room of a 1,500-ton boat on the Lakes as in the boiler room of a 1,500-ton boat on the ocean.

Mr. McMORRAN. Is the gentleman aware of the fact that on the ocean a vessel carries a pressure of from 175 to 225 pounds, whereas on the Lakes they carry a pressure of from 80 to 125 pounds?

Mr. WILSON of Pennsylvania. I know that both on the Lakes and on the ocean they carry various pressures.

Mr. McMORRAN. Does the gentleman maintain that the fire hole of a vessel carrying 225 pounds of steam is just the same as one carrying from 75 to 125 pounds of steam?

Mr. WILSON of Pennsylvania. No; I am not making that contention. I am simply making the contention that, with the various pressures carried in various vessels on the Lakes as there is on the ocean, with the same pressure being carried on the same size vessel, it is just as hot in the boiler room of the one on the Lakes as it is in the one on the ocean.

Mr. McMORRAN. One other point in that connection. Is the gentleman aware of the fact that the rate of wages paid on the Great Lakes, say on a 1,500-ton vessel, is much larger than that paid on the same size vessel on the ocean?

Mr. WILSON of Pennsylvania. In the coastwise trade?

Mr. McMORRAN. No; in the foreign trade, or the coastwise.

Mr. WILSON of Pennsylvania. The great bulk of the traffic on the Lakes is coastwise trade.

Mr. McMORRAN. That is true.

Mr. WILSON of Pennsylvania. The rate paid in the coastwise trade on the Pacific coast is higher than the rate paid on the Lakes.

Mr. McMORRAN. On the Pacific coast it is; on foreign service it is not, as I understand it.

Mr. WILSON of Pennsylvania. That is true; but it is nearly all coastwise trade on the Lakes. There is not any reason why this amendment should be adopted, Mr. Speaker.

The SPEAKER. The question is on agreeing to the amendment.

Mr. WEEKS. Mr. Speaker, I want to ask the gentleman a question.

The SPEAKER. You wish to ask the Speaker?

Mr. WEEKS. The gentleman from Michigan, and I move to strike out the last word. I want to ask the gentleman from Michigan, who offered the amendment, if he does not intend to include vessels of less than 1,500 tons? As it reads, it reads 1,500 tons and that tonnage alone.

Mr. McMORRAN. I did intend to cover 1,500 tons or less.

Mr. WEEKS. I ask that the amendment be reported.

The SPEAKER. Without objection, the amendment will be again reported.

The amendment was again reported.

Mr. WEEKS. Mr. Speaker, I move to amend, after the word "tonnage," by inserting the words "or less."

The SPEAKER. Without objection, the pro forma amendment will be withdrawn, and the gentleman offers the amendment which the Clerk will report.

The Clerk read as follows:

Amend the amendment by inserting, after the word "tonnage," the words "or less," so that the amendment will read "or to vessels or steamers of 1,500 tons of register tonnage, or less, operated on the Great Lakes."

The question was taken, and the amendment to the amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to offer an amendment. Does not the question now arise on the McMORRAN amendment?

The SPEAKER. Unless the gentleman has an amendment he wants to offer.

Mr. MOORE of Pennsylvania. I would like to know the parliamentary status. Has the McMORRAN amendment been voted upon?

The SPEAKER. It has not.

Mr. MOORE of Pennsylvania. Then I have no amendment at this time.

The SPEAKER. The question is on agreeing to the McMORRAN amendment as amended.

The question was taken, and the amendment as amended was rejected.

Mr. HUMPHREY of Washington. Mr. Speaker, I offer an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, at the end of line 18, insert "or for the saving of life and property aboard other vessels in jeopardy."

Mr. HUMPHREY of Washington. Mr. Speaker, I presume there will be no objection to the amendment. I think it was an oversight on the part of the committee. They certainly would not prohibit these sailors from working to protect life on other vessels as well as on their own. As I understand it, a master at sea is compelled to go to the rescue of any vessel that is in danger, and it seems to me no one should object to sailors under those circumstances assisting in giving help to the rescue of property or lives. I hope there will be no objection to the amendment.

Mr. WILSON of Pennsylvania. Mr. Speaker, so far as I am concerned, I have no serious objection to the amendment, although experience has shown it is not necessary to have that in our legislation, because there has been little or no necessity for it.

Mr. HUMPHREY of Washington. Occasion did arise in the case of the *Titanic*. I ask for a vote on the amendment.

The SPEAKER pro tempore (Mr. Housron). The question is on agreeing to the amendment of the gentleman from Washington [Mr. HUMPHREY].

The question was taken, and the amendment was agreed to.

Mr. HUMPHREY of Washington. Mr. Speaker, on page 2, line 20, I offer another amendment. After the word "do," insert "in the judgment of the master." As it reads now it says:

While the vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or legal holidays.

That is a provision to which I have no objection, but if it is unnecessary, in whose judgment? Somebody has to pass upon it; I recognize the master might exercise arbitrary power or make some mistakes, as every other man. On the other



hand, he is supposed, certainly, to have equal judgment and to be as fair as a seaman. As a matter of fact, the records show that the seamen follow the sea but a very short time. I think on the average, according to the statement of the chairman of the Seamen's Union on the Pacific coast, the average time is about three years. I do not think it would be safe to leave it to the judgment of any man on board as to what he shall do. I do not know where you should put this power of deciding as well as with the master, and I think that is where it ought to go. Anything that is necessary in the judgment of the master the seaman should be required to do. The way it is it invites trouble. If the master gives an order and the seaman refuses to obey it, he will be discharged. You simply invite complications and trouble for both the master and the crew.

The SPEAKER pro tempore. The gentleman from Washington [Mr. HUMPHREY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 20, after the word "do," insert the words "in the judgment of the master," so that the lines will read: "No seaman shall be required to do, in the judgment of the master, any unnecessary work on Sundays," etc.

Mr. WILSON of Pennsylvania. Mr. Speaker, the amendment practically destroys the purpose of the bill. If you leave the matter of what constitutes necessary work solely to the judgment of the master of the vessel, then the same condition will continue as exists now, when men are required to go on doing all kinds of ordinary work on Sunday, and the seamen will be prevented from having the usual week's day of rest which is usually provided for in all other classes of work. The question should be left, first, to the master to determine as to whether he considers it necessary or not; second, to the sailor or seaman to determine whether he considers it necessary or not, and, failing to agree, then the power rests with the inspectors to determine which of the two is right under the circumstances.

Mr. WEEKS. Mr. Speaker, I would like to ask the gentleman from Pennsylvania what limitation he would put on the words "unnecessary work on Sundays"?

Mr. WILSON of Pennsylvania. I can scarcely place any limitation on the words "unnecessary work" unless the specific piece of labor proposed to be done is up for consideration. Then I would be in a position to pass judgment upon whether or not it was necessary or unnecessary.

Mr. WEEKS. Is it going to be necessary to take these matters into court in order to determine what is necessary labor in all specific cases?

Mr. WILSON of Pennsylvania. Oh, no.

Mr. WEEKS. How is it going to be determined then?

Mr. WILSON of Pennsylvania. There is a likelihood that the men would be able to reach an agreement. But as it is now if one of these men refuses to perform this work on Sunday, or as it would be if this amendment were adopted, he would come under the law and would be penalized for his refusal to perform that labor, and that, too, not when the vessel is endangered or at sea, but when the vessel is in a safe port.

Mr. WEEKS. Let us suppose, Mr. Speaker, that a vessel is at sea and the master finds it is necessary to wash decks and the men do not do so, what is going to determine it?

Mr. WILSON of Pennsylvania. This does not apply to vessels at sea. At sea the word of the master is supreme, because there is a community of interests in which the safety of all who are there is involved and, consequently, there must be some supreme authority. And the supreme authority when at sea is vested in the master of the vessel. This clause only applies at times when the vessel is in a safe port.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Washington [Mr. HUMPHREY].

The question was taken, and the Speaker pro tempore announced that the yeas seemed to have it.

Mr. HUMPHREY of Washington. Division, Mr. Speaker.

The House divided; and there were—ayes 3, yeas 37.

So the amendment was rejected.

Mr. WEEKS. Mr. Speaker, I move to strike out the last word for the purpose of asking a question.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for five minutes.

Mr. WEEKS. May I have the attention of the gentleman in charge of the bill? In lines 10 and 11 the limitation as to the number of watches is stipulated, at least two watches for the deck force and three watches for the engine-room force. Why were the words "at least" left out so far as the engine-room force is concerned? There may be a division into six watches, for instance. That would be a natural division of watches at sea—men standing watch for four hours.

Mr. WILSON of Pennsylvania. I have no objection, if the gentleman desires to offer an amendment of that kind, to an amendment of that kind being offered.

Mr. WEEKS. It seems to me that would be a natural limitation to be placed in the law.

Mr. WILSON of Pennsylvania. The sole reason for its not being there was the presumption that three watches would be as many as the firemen would likely be divided into.

Mr. WEEKS. It is very frequent that men stand in watches for four hours, then go off watch, and then go on again.

Mr. WILSON of Pennsylvania. All over the world the watch is recognized to be four hours, so that when you speak of a "watch" you speak of four hours.

Mr. WEEKS. Yes; but the dog watch is two hours.

Mr. WILSON of Pennsylvania. Well, there are no dog qualifications in this bill.

Mr. WEEKS. There are dog watches on all oceans, as the gentleman knows if he has investigated.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to offer the following amendment.

Mr. WEEKS. Mr. Speaker, I move to insert, in line 11, page 2, after the word "into," the words "at least," so that it will read "and the firemen into at least three watches."

Mr. HARDY. We have no objection to that amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 11, after the word "into," insert the words "at least," so that the line will read "and the firemen into at least three watches."

Mr. MANN. Mr. Speaker, now that we have a real seaman on his feet, I would like to inquire what the term "watch" means. What is the legal definition of the term "watch" as used here?

Mr. WEEKS. Mr. Speaker, when seamen want legal definitions they go to a lawyer to get them. [Laughter.]

Mr. MANN. I thought sometimes they went to a sea lawyer. [Laughter.]

Mr. WEEKS. But if the gentleman wishes a practical definition of the term "watch," I would say that it is the term or period that a man stands duty at a stated time.

Mr. MANN. It is not a term of duty? This refers to the duty of the man.

Mr. WILSON of Pennsylvania. It is almost synonymous with the term "shift" on land, so that it will be two shifts and three shifts, respectively, but the length of that shift is recognized universally as four hours.

Mr. MANN. It is quite certain that you could not have four watches of 8 hours each in 24 hours. Are the men to be divided into three watches?

Mr. WILSON of Pennsylvania. The men are to be divided into three watches, or three shifts, so far as the firemen are concerned, and into two watches, or two shifts, so far as the sailors and deck hands are concerned.

Mr. MANN. Is there any way to alternate from day to night and vice versa under the divisions of this bill, having divided the men into three sets? I use a term that we understand. That is what you mean by this bill. Then you provide that they shall alternate. Is there any way by which a man who served this week at night shall serve next week in the daytime under the terms of this bill? I fear not.

Mr. WILSON of Pennsylvania. This is a matter of mutual arrangement.

Mr. MANN. It is not a matter of mutual arrangement when the law fixes it. This bill says "divided into three watches, which shall be kept on duty alternately." Now, I take it that it is a common practice to shift the time of service of men on board vessels at sea as well as elsewhere. I ask what it means, because I know the gentleman would not wish to destroy that.

Mr. WILSON of Pennsylvania. I think the gentleman will see, if he examines into it, that it will naturally shift for itself.

Mr. MANN. I was at sea the other day, and as well as I could figure it out I figured it out that it would not shift for itself.

Mr. WEEKS. I think the gentleman in charge of the bill will state that no complaint has ever come before his committee on account of a recent change in the hours of service on board ships. Every master arranges his hands so that some will perform some night service and some will perform day service, and at different times in the night and in the day.

Mr. WILSON of Pennsylvania. I do not think this will prevent that.

Mr. WEEKS. I do not think it will prevent it, and I do not think there is a complaint that it has not been done.

Mr. SHERLEY. In the earlier discussion of the bill did not the gentleman state that this provision would not apply to

vessels engaged in a voyage lasting less than 16 hours? Manifestly there ought not to be any need for three shifts of men in vessels that are so engaged—for instance, in a run of four or five hours' duration.

Mr. WILSON of Pennsylvania. No.

Mr. SHERLEY. I think if the bill does not exclude that class of vessels an amendment ought to be offered which does exclude them. I would like to have the gentleman's opinion.

Mr. WILSON of Pennsylvania. My opinion of the situation is this: That the watch or the shift being of four hours' duration, and the shifts alternating, naturally there would be less than three shifts where there were eight hours or less.

Mr. SHERLEY. No. There would be less than that many watches, but not less than that many shifts, using the term "watches" as designating time and the term "shifts" as designating classes.

Mr. WILSON of Pennsylvania. "Shift" and "watch" are almost synonymous terms.

Mr. SHERLEY. Let us not juggle with words. I do not care what the gentleman calls it. I care not whether you call it a "shift" or a "watch." In point of fact here is what happens: A certain class or group of men work four hours. They are spoken of as a "watch," and sometimes, as the gentleman said, as a "shift," though frequently you speak of a watch as referring to time and not to men. For instance, when you speak of the "dog watch" you may not refer to the character of men or to the number composing that shift, but you refer to the time during which that watch lasts. Now, if the time of the voyage is such as to consume four or five hours only, you may have, by this provision in the bill, required the maintenance of three groups of men, whereas in point of fact the time employed by the vessel is not sufficient to use those men.

Mr. WILSON of Pennsylvania. I would state to the gentleman that it is not clear that that would be the case, but I would have no objection whatever to an amendment which would make it clear that this would not apply to vessels running eight hours or less, if it applied to vessels running more than eight hours. It should apply only to vessels running more than eight hours.

Mr. SHERLEY. Let us see whether it should. If a vessel runs only 9 hours or 10 hours, why should there be three shifts when you can have two alternating, and in no instance can a man work more than 8 hours? That is what is in the gentleman's mind, and in no instance will a man work more than four hours consecutively. I do not want, on the spur of the moment, to offer an amendment that may not effect a remedy, but it is clear to my mind that unless the letter of this law is disregarded you have created a condition where you will be required to have three shifts of men on vessels that may not be engaged in a voyage long enough to need more than two shifts.

Mr. MADDEN. Will the gentleman from Pennsylvania yield to me for a question?

Mr. WILSON of Pennsylvania. Yes.

Mr. MADDEN. Suppose you have a crew of firemen numbering 90 men, and you divided them into three groups. One group of 30, we will assume, take one of the watches. Half the group will be employed for 4 hours, and then will go off duty, and the other half will go on. That would be an 8-hour watch. Then we will take the next group of 30, one half of whom would go on for 4 hours and the other half for 4 hours. The third group would do the same thing. According to the language of this bill, dividing the watches as they are proposed to be divided in the bill, no man would work more than 4 hours out of the 24, as I understand it. I do not suppose the gentleman from Pennsylvania wants to make the language of the bill such that a man would work less than 8 hours in 24.

Mr. WILSON of Pennsylvania. I think the gentleman is entirely in error. Under this bill each man is 4 hours on and 8 hours off in every consecutive 12 hours.

Mr. MADDEN. He would not be under the three-group system.

Mr. WILSON of Pennsylvania. Oh, yes; the three-group system is what I have reference to. Each group of men would work 4 hours and be off 8 hours, and then work 4 hours again and be off 8 hours, so that in each 24 hours every man would work two periods or watches of 4 hours each.

Mr. MADDEN. I can not figure it out that way. Perhaps the gentleman has figured it out.

Mr. SHERLEY. Perhaps the difficulty comes from the use of the word "alternate," when you speak of three groups. The words "alternate" and "alternately" are generally used as applying to two groups.

Mr. MANN. Mr. Speaker, is there any penalty provided for a violation of this section, except the right of the seaman to quit?

Mr. WILSON of Pennsylvania. There is no other penalty except the right of the seaman to quit, and to get his wages when he does quit.

The SPEAKER pro tempore. The amendment offered by the gentleman from Massachusetts [Mr. WEEKS] is pending.

The question being taken, on a division (demanded by Mr. ALEXANDER) there were—ayes 32, noes none.

Accordingly the amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 2, line 10, after the words "States the," by striking out the word "sailors" and inserting the word "seamen."

Mr. MOORE of Pennsylvania. Mr. Speaker, that is offered simply to make the term conform to the other parts of the bill.

Mr. LONGWORTH. Does not the word "seamen" mean firemen also?

Mr. MOORE of Pennsylvania. Not necessarily, because seamen are especially defined later on in the bill as men who must have served three years.

Mr. MANN. Is not the expression in the bill later on "able seamen," and does "able seamen" mean the same as "seamen"?

Mr. HUMPHREY of Washington. No; it does not.

Mr. MOORE of Pennsylvania. I should suppose there was some purpose in the bill, when it provides that in order to be an able-bodied seaman—

Mr. MANN. I do not think it says "able-bodied seaman." I think it says "able seaman," which means one thing and "seaman" means another, and a sailor may be something else.

Mr. LONGWORTH. What are firemen?

Mr. MANN. Firemen are seamen.

Mr. LONGWORTH. I should think so.

Mr. KENDALL. Does the word "sailor" include all of them?

Mr. MANN. No; "sailor" does not include firemen, but "seaman" would.

Mr. MOORE of Pennsylvania. Firemen are specified, but the word "sailor" occurs several times where the word "seaman" is intended. I merely want to correct the phraseology of the bill. I supposed it was the intent of gentlemen to have this bill uniform. If you want to leave this question open, I am satisfied, but I want to correct the bill so that there may be no question as to the meaning of the word "seaman."

Mr. WILSON of Pennsylvania. Mr. Speaker, we are more interested in this bill being right and in having the correct meaning expressed than we are in the bill being uniform. We are more interested in its being easy of interpretation than we are in having the verbiage according to the ideas of any one man.

Mr. MOORE of Pennsylvania. Does not the gentleman simply confuse the question when he leaves it open? It may mean a sailor or a seaman who has seen three years' service.

Mr. WILSON of Pennsylvania. No; the confusion is in the gentleman's mind, in that he does not draw the distinction between what is a seaman and what is a sailor. The word "seaman" includes all of those who are employed on board, while "sailor" only includes the deck hands.

Mr. MOORE of Pennsylvania. Does the gentleman mean that a sailor distinguished from a seaman need not have three years' experience?

Mr. MANN. Why, certainly.

Mr. WILSON of Pennsylvania. It means that able seamen shall have three years' service.

Mr. MOORE of Pennsylvania. Does the gentleman mean that a "sailor" may go on board at any time, and do the work of an able seaman, without requiring three years' service?

Mr. WILSON of Pennsylvania. No; but there are sailors who can do that.

Mr. MANN. Is it not a fact that the provision of the bill regarding able seamen requires not to exceed 65 per cent of able seamen?

Mr. WILSON of Pennsylvania. Yes.

Mr. MANN. The others may be seamen, and they would also be sailors, if they were doing deck work. I think there is no confusion in the term.

Mr. ALEXANDER. I should like to read the definition of "seaman" as given by the law for the benefit of the gentleman from Pennsylvania [Mr. MOORE].

Mr. MANN. What is the section of the statute which the gentleman proposes to read?



Mr. ALEXANDER. It is on page 58 of the navigation laws, and is section 73:

Every person (apprentices excepted) who shall be employed or engaged to serve in any capacity on board the same shall be deemed and taken to be a seaman.

Mr. LONGWORTH. Under this provision here as to watches, where would the stewards and cooks come in?

The SPEAKER. The gentleman from Pennsylvania has the floor.

Mr. MOORE of Pennsylvania. Mr. Speaker, I thought so. I desire to ask the gentleman from Missouri [Mr. ALEXANDER] whether upon that interpretation of the law he still means to put a sailor in the category of an able seaman who does not have to serve three years on shipboard in order to qualify under this act? You are proposing here to improve existing law, and if you are going to improve it you should improve the imperfections of the old law, and when you are copying bad grammar I think it had better be corrected while we have a chance.

Mr. WILSON of Pennsylvania. Mr. Speaker, if the amendment of the gentleman from Pennsylvania [Mr. MOORE] is agreed to, it means that the cooks and stewards would also be divided into two watches as well as the sailors.

Mr. LONGWORTH. And it is intended that cooks and stewards shall not be covered by this.

Mr. WILSON of Pennsylvania. This does not cover the cooks and stewards.

Mr. LONGWORTH. Exactly. It covers the firemen and the sailors.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, section 1, by striking out all after the word "earned," line 3, page 3.

Mr. MOORE of Pennsylvania. Mr. Speaker, this bill is entitled "A bill to abolish involuntary servitude imposed upon seamen," and so forth, and the gentleman from Pennsylvania [Mr. WILSON] has laid much stress upon the servitude which seamen are said to endure. There are long voyages and short voyages that seamen have to take, and when they go on a whaling cruise they take, perhaps, a longer voyage than on any other. On fishing voyages they also take long cruises, and I am at a loss to understand why the gentlemen on the other side should bring in a bill which proposes to relieve one class of seamen or sailors from involuntary servitude and still imposes it upon others whose work at sea may be more difficult. If this bill is intended to relieve seamen of any hardships they now endure, why do you except by the provisions of the bill and still leave in involuntary servitude men who are employed upon fishing vessels or men who go off in whalers and stay for a term of years? Is this bill intended to exclude the seamen who go off on those cruises? And why except yachts, especially in view of the charge made a moment ago by the gentleman from Illinois [Mr. BUCHANAN] that the crowding down of sailors was due to the Steel Trust? Why except the yachts which, perhaps, are more largely owned by those who are interested in the Steel Trust than any other class of men? Why should those who work down in the holds of yachts be excepted from this "involuntary servitude" that is imposed upon the sailors who go down in the ships? You may say that you except a yacht owned by a millionaire because he does not take long cruises or because he furnishes some special facilities in the way of comfort and convenience for the men who do the stoking and the firing and whatever other work is to be done, or before the mast. Do you intend especially to benefit the Steel Trust millionaires who own the yachts and sail away at their own free will and keep the men down in the hold in involuntary servitude while you pretend to perform an act for the liberation of those whom you say are enslaved upon the ships carrying commerce? I want the ships of commerce to have a chance. I want the men who employ sailors to have an opportunity. I do not propose to vote them out and vote in the men who own yachts, the men who are able to sail away as they please. It seems to me that the gentlemen on the other side have made a remarkable exception in this case, that they provide that the sailor who is in involuntary servitude on the yacht of the millionaire shall not be included in the provisions of this bill, which is supposed to wipe out the last vestige of serfdom in the United States. I would like to know what the gentleman has to say in opposition to an amendment of this kind, making fish of one and fowl of another, proposing that one class of seamen, or sailors, as you have distinguished them, shall be the benefi-

claries of this act and leaving in distress and abject servitude under the iron heel of the millionaire the man who sails on the palatial yacht. [Applause.]

Mr. HARDY. Mr. Speaker, I can not help thinking that the gentleman from Pennsylvania [Mr. MOORE] is making a nice little calico play and nothing more. This section has nothing to do with the question of involuntary servitude, as the gentleman would seem to believe, laying so much stress upon the fact that it does not apply to the millionaire-owned yacht. This section has reference only to providing for two watches of the deck crew and three watches of the firemen. The yachts are exempted from this provision, as they are from nearly all of the existing provisions of a similar character in existing law, because the employees on the yachts are generally the best cared for and least oppressed of seamen and they have never complained as to the matters involved in this section, and there is absolutely no question whatever of involuntary servitude involved in this section. The fact is that I am more tickled and amused at the gentleman's performance as to yachts than anything I know of, except when it comes to his criticism of our exempting fishing and whaling vessels from this section.

Mr. MOORE of Pennsylvania. There is no question that these classes of seamen are being exempted from the benefits of this act.

Mr. HARDY. Oh, the gentleman can read. There is no question that the answer to his question is that the yachts are exempted.

Mr. MOORE of Pennsylvania. And so are those who go out in whaling and fishing vessels.

Mr. HARDY. So far as the fishing vessels are concerned, the gentleman ought to know there are thousands of poor men owning their little outfits, and to require them to have alternating watches, two watches on deck and three watches of the firemen, would be simply ridiculous.

The SPEAKER. The question is on the adoption of the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Sec. 3. That section 4530 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"Sec. 4530. Every seaman on a vessel of the United States shall be entitled to receive, within 48 hours after demand therefor, from the master of the vessel to which he belongs one-half part of the wages which shall be due him at every port where such vessel, after the voyage has been commenced, shall load or deliver cargo before the voyage is ended; and all stipulations to the contrary shall be held as void. And when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him, as provided in section 4529 of the Revised Statutes: *Provided*, That notwithstanding any release signed by any seaman under section 4552 of the Revised Statutes any court having jurisdiction may upon good cause shown set aside such release and take such action as justice shall require: *Provided further*, That this section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement."

Mr. HUMPHREY of Washington. Mr. Speaker, I offer an amendment, to strike out from including "*Provided further*" to the end of the section, so that the section will not apply to foreign vessels.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 4, by striking out the proviso after the word "require," in line 22.

Mr. HUMPHREY of Washington. Mr. Speaker, I want to call the attention of Members of the House to the fact that by this proviso we attempt to make void contracts which are made in foreign countries between foreign citizens. Now, I submit we can go this far, that when foreign vessels are in our ports we can make them comply with any rule and regulation that exists in regard to American citizens or that protects property or to contracts made in our own ports. We can also go so far as not to enforce contracts that are made in those foreign countries. For instance, we could refuse to recognize any agreement made abroad and not compel them to be enforced and carried out in this country, but we do not have the power to declare void contracts made in foreign countries. There is a clear distinction, and we go entirely beyond our authority. In other words, in this section, as we now have it, we provide that if a foreign sailor makes an agreement with a foreign shipowner that the contract becomes void as soon as they come into an American port. We also go further. If they make an agreement that wages shall not be paid until the round trip is complete we say that that contract will be void. Now, I think we are going beyond our power. If we had the power, I do not think there is any necessity for it. I can see no reason why we should tell foreign nations how they should pay their sailors. We are attempting to do something entirely

out of our power when we declare a contract made between two citizens of a foreign Government, legal in that Government, is void because they come into our ports. I think that section ought to be stricken out. Under the law as it now stands the words in line 13, "and all stipulations to the contrary shall be held as void," is not in it. The change that is made from the present law is the insertion of those words and the provisos.

Mr. BUTLER. Is that the only change between the old and the new law?

Mr. HUMPHREY of Washington. The only change between the old law and the new law are the words "and all stipulations to the contrary shall be held as void," and the provisos which make it apply to foreign ships, and it does seem to me that this House ought to have some consideration for its judgment; that we ought not here to vote for provisions in bills we know we have no authority to enforce. We should have some regard for the comity of nations. For one I do not want to go on record as voting for a law to make void a legal contract made between two citizens of another country as long as it does not affect our safety and the interest of our country.

Mr. BUTLER. Mr. Speaker, the gentleman insists this is the only part of the provision we could enforce:

*Provided further, That this section shall apply to seamen on foreign vessels, etc.*

That is what the gentleman refers to as what we could not enforce, and that is because of our relations with nations.

Mr. HUMPHREY of Washington. And the further stipulation:

Every seaman on a vessel of the United States shall be entitled to receive, within 48 hours, after demand therefor, from the master of the vessel to which he belongs, one-half part of the wages which shall be due him, etc.

Suppose an English sailor had made a contract when he started in regard to his wages. That provision makes that contract void. And we go beyond that. We not only declare the contract void, but we declare we will enforce a violation of that contract when it comes into our port. If part of the money has been paid under such contract our courts will compel its repayment. The seaman should have the power of the courts of the United States to enforce payment that is in direct violation of the legal contract he had made in his own country with his countrymen.

The SPEAKER. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman have five minutes more.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. BUTLER. I would like to ask the gentleman a question. When a ship comes within the 3-mile limit of our shores or lands and takes advantage of our laws and docks at our shores, does that ship come within the jurisdiction of our courts?

Mr. HUMPHREY of Washington. Certainly. It comes within the jurisdiction of the courts, and I have never attempted to deny the fact. We have authority over that vessel and we can compel that vessel to obey our rules and regulations that affect the interests of American citizens, but I am making this distinction, that the United States has no authority to declare void a contract made between two citizens of another country that is legal in that country which in no way affects American interests. We go a step further. We not only declare that contract void, but we provide that the foreign sailor may go into court and invoke the power of that court to carry out something that he agreed not to do and about which we are not in anyway concerned.

Mr. MANN. Will the gentleman yield for a question?

Mr. HUMPHREY of Washington. Certainly.

Mr. MANN. Supposing one of the Canadian railroads makes a contract with one of its employees that the employee shall not recover for damages in case of injury. Then they come into the United States with a train and the employee is injured. The employee sues under the liability act which we passed. Does the gentleman think the fact that the contract was made in Canada instead of the United States could be urged as a bar in that suit? Is there any distinction between that case and this? In other words, we do not declare the contract is void, but we declare it can not be plead in defense of the action.

Mr. BUTLER. This law applies where the case is brought.

Mr. HUMPHREY of Washington. That is true enough; that would be the law of the United States.

Mr. MANN. So is this when it is passed.

Mr. PICKETT. The case suggested by the gentleman from Illinois is where the cause of action occurs in this country.

Mr. HUMPHREY of Washington. The gentleman suggests a case where we would enforce the law of the United States, but this is a case where you will declare void a contract legal

in a foreign country in which we have no interest between foreign subjects.

Mr. MANN. We are enforcing the law of the United States. We are permitting the man to sue for wages that are due him, but do not permit evidence that he is not to have the wages to be proof presumptive in the matter.

Mr. BUTLER. In the case the gentleman puts to the gentleman from Washington [Mr. HUMPHREY] we declare, notwithstanding the contract was made in Canada that there should be no recovery, there can be a recovery here.

Mr. HUMPHREY of Washington. Certainly; we make that stipulation in regard to our own people here. But that is a law where they recover under the laws of the United States. In this case you are declaring void a contract made abroad and carried out entirely abroad or on a foreign ship, between foreign citizens, which is an entirely different proposition.

Mr. ALEXANDER. Will the gentleman yield? If the gentleman will turn to page 78, section 95, of the navigation laws, 1911, he will find the law relating to advances and allotments of wages. In the first subdivision it says:

It shall be and is hereby made unlawful in any case to pay any seaman wages in advance of the time when he has actually earned the same or to pay such advance wages to any other person.

In subdivision "b" it says further:

It shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages which he may earn to his grandparents, parents, wife, sister, or children, etc.

Subdivision "c" provides what other rights he shall have. Then in subdivision "d" it says:

No allotment note shall be valid unless signed by and approved by the shipping commissioner. It shall be the duty of said commissioner to examine such allotments and the parties to them and enforce compliance with the law.

Then in subdivision "e" it says:

No allotment except as provided for in this section shall be lawful.

In subdivision "f," and this is the subdivision to which I wish particularly to call your attention, it says:

This section shall apply as well to foreign vessels as to vessels of the United States; and any master, owner, consignee, or agent of any foreign vessel who has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for a similar violation: *Provided*, That treaties in force between the United States and foreign nations do not conflict.

If we may regulate advancements and allotments of wages, why can not we regulate the payment of wages, too?

The SPEAKER. The time of the gentleman from Washington [Mr. HUMPHREY] has expired. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to offer the following amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 4, line 7, after the words "on a," by inserting the word "merchant."

Mr. MOORE of Pennsylvania. Mr. Speaker, this is intended to meet the criticism I made a little while ago. Here you provide for a vessel of the United States, the inference being, and perhaps the legal definition being, that the vessel is owned by the Government of the United States. The bill does not say a vessel of American register; it does not say "merchant vessel." I suggest the word "merchant" would fit the situation and make the bill uniform.

Mr. WILSON of Pennsylvania. I hope the amendment will not be agreed to. It is apparent that the gentleman from Pennsylvania [Mr. MOORE] does not understand the purpose of this section or the purpose of the other section that he has had reference to in his discussion here to-day. This section is meant to apply to all vessels of the United States, not vessels owned by the United States, but vessels of the United States, and the law as read a few minutes ago by the gentleman from Missouri [Mr. ALEXANDER] clearly defined it, and that is the language that should be used when applying to vessels owned by citizens of the United States. This is meant to apply not only to merchant vessels of the United States, but to all vessels of the United States, whether they are merchant vessels or others.

Mr. MOORE of Pennsylvania. I offer the amendment merely to perfect the bill. If the gentleman does not want it, all right.

The SPEAKER. The question is on agreeing to the amendment.

Mr. MANN. Mr. Speaker, while I do not think the amendment is necessary, I wish before the debate on this bill is closed that the gentleman in charge of the bill, or some other gentleman, will put into the Record a clear definition of what a merchant vessel is.



Mr. MOORE of Pennsylvania. The law was read a little while ago.

Mr. MANN. Section 4311 of the Revised Statutes defines what a vessel of the United States is. I take it that there is no definition in the statute as to the meaning of the term "merchant vessel," and it seems to me it would be desirable to have the definition in the Record if not in the bill.

Mr. WILSON of Pennsylvania. My definition, at least, of the term is in the Record, in reply to the question of the gentleman from Illinois.

Mr. MANN. I understood the gentleman a while ago to state that the term "merchant vessel," in section 1, covered certain vessels not under 100 tons burden.

Mr. WILSON of Pennsylvania. What I said was that a merchant vessel was a vessel carrying passengers or freight for hire. That was my definition of a merchant vessel. Then one of the sections specifically exempts vessels of less than 100 tons, which would exclude merchant vessels as well as other vessels.

The SPEAKER. The question is on the amendment of the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer the following amendment.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 4, line 13, after the word "ended," by inserting the words, "Provided the voyage between ports shall cover a period of 48 hours."

Mr. MOORE of Pennsylvania. Mr. Speaker, the gentleman from Pennsylvania [Mr. WILSON] a moment ago suggested that I ought to study this bill a little more carefully that I might better understand it. The gentleman speaks from his point of view. I speak from mine. I am interested in the development and improvement of labor conditions. I believe those conditions will be improved as we improve the opportunity for men to do business in this country. I believe that a sailor ought to be paid everything that is due him for his services, but I believe there is another side to that question, namely, that some encouragement should be given to the man who invests his money in enterprises and employs the sailor. Now, I assume that the gentleman upon the other side wants to be as fair to the employer as to the employee and wants to see, as the gentleman from Illinois [Mr. BUCHANAN] indicated the other day, the employer and employee walking hand in hand.

Up to this time in this discussion it would appear that that labor which the gentleman seems to speak for wants to strike at the employer. I do not understand that to be the purpose of this bill, and I do not understand it to be the purpose of the gentleman. I believe that the man who employs labor ought to have equal consideration in a bill of this kind with the laborer himself. They ought to work together.

Now, this bill presents certain features that make it impossible for a man operating a small vessel to continue in business. There are conditions in this bill that, put into effect, may deprive the small shipowner of the right to exist, leaving all the shipping business to be done by the great capitalists and the trusts, on the one hand, and those who regulate the affairs of organized labor, on the other. I want to see the man who operates a small ship have the same chance to employ somebody as the man who operates the trust-owned ship.

In this particular instance I have offered an amendment which has in view the practicability of this section of the bill. It is proposed here that a seaman shall have his wages at every port on 48 hours' notice to the master of the vessel. Pray, how is that going to work along the Atlantic seaboard, where the vessel leaves the port of New York in the morning and arrives at the port of Philadelphia in the evening, or leaves the port of Philadelphia in the morning and arrives in the port of Baltimore next day? Forty-eight hours do not elapse. Is it the purpose of this bill to have the man employed to do certain work upon the vessel nagging the master on a 12-hour journey? I submit that where these vessels do not cover in their trips a period of 48 hours, this provision is entirely impracticable.

Mr. WILSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Pennsylvania yield to his colleague?

Mr. MOORE of Pennsylvania. I yield.

Mr. WILSON of Pennsylvania. Does the gentleman know of any such circumstance, where the run is less than 48 hours between such points, where the trip is only 12 hours?

Mr. MOORE of Pennsylvania. Yes; I know of many such trips. A vessel leaves Baltimore at a certain hour and arrives at Philadelphia 12 hours later. Under this bill the seaman

could keep demanding his wages every 48 hours all along the Atlantic coast from Boston to Fernandina, Fla., on a voyage, stopping at ports every 12 hours.

I submit there are imperfections in this bill that make it objectionable in many respects. I want to see my colleague from Pennsylvania do everything he can to benefit the seamen, because I join with him in the effort he is making to upbuild labor. The Lord knows the honest seaman works for his wage and ought to have it. I do not want to see the gentleman put the seaman in such a position that he shall be in constant war with the captain and shall have a chip on his shoulder all the time, when they ought to be pulling together.

Yet under the terms of this bill you would have this condition arise all along the coast, and on the Great Lakes from Buffalo to Duluth.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MANN. Mr. Speaker, a moment ago the gentleman from Pennsylvania [Mr. WILSON] stated in reference to section 1 that it did not apply to vessels of less than 100 tons burden.

Mr. WILSON of Pennsylvania. Yes.

Mr. MANN. The gentleman stated that that provision was in the section. I read the provision over when the gentleman made his statement, hoping to find it, and I have read it over again and have not found it, and if it is in there I would like to have the gentleman tell me where it is. If it is not there, I would like to have him say whether or not, as a matter of fact, there is any other provision which, in the gentleman's opinion, would limit section 1 to vessels of 100 tons burden or over?

Mr. WILSON of Pennsylvania. No. There are some sections where the limitation is 100 tons, but the only limitation in section 1 is that it does not apply to fishing or whaling vessels, or to yachts.

The SPEAKER. Debate on this amendment has expired.

Mr. BOWMAN. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from Pennsylvania [Mr. BOWMAN] moves to strike out the last word.

Mr. BOWMAN. Mr. Speaker, I would also like to ask the gentleman in charge of the bill a question in relation to the point just made by my colleague from Pennsylvania, Mr. MOORE. I think there is a good point made there. It is not even necessary that the wages should be paid at the port, within 48 hours, while the vessel is lying at that port. It occurs to me that if a man wanted to make trouble, or if a man had been drinking, he might ask for his money at each port, either on the coast or at every port on the Lakes, perhaps 48 hours apart. He might make a demand for his money, and every 48 hours his money would be coming to him. I think it would be easy to add to the provisions in the bill language to the effect that the voyage should cover so many days specifically.

Mr. WILSON of Pennsylvania. Mr. Speaker, the provision in the bill requires 48 hours' notice before the money can be paid—that is, before its payment can be enforced after it is demanded. In my judgment that protects the employer on short runs, and he has the further protection that there is nothing to compel him to retain that individual in his employment if that individual annoys him.

Mr. BOWMAN. If the gentleman is satisfied with the language, I am.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer the following amendment.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 4, line 25, after the word "enforcement," by inserting the following: "And provided, That nothing herein contained shall operate to admit any person in violation of the immigration laws of the United States."

The SPEAKER. The question is on agreeing to the amendment.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to speak on the amendment for a moment.

The SPEAKER. The gentleman has five minutes.

Mr. MOORE of Pennsylvania. Mr. Speaker, there are bills pending in this House now affecting immigration, and a test is to be made, if we are to understand the gentleman from Alabama [Mr. BURNETT] aright, and if there is any real steam behind the gentleman from Georgia [Mr. RODDENBERRY], as to whether immigrants shall be admitted to this country who can not read and write. I am in favor of properly restricting immigra-

tion. The criminal, the infirm, the helpless, the pauper, and the insane ought to be kept out of this country; but the man who can not read and write, who comes here for a worthy purpose and desires to take advantage of the opportunities offered by this country to his forefathers and to assume the same responsibilities, should not be barred solely for the reason indicated.

Here is a provision which proposes that alien seamen, whether they can read or write or not, may come into this country and have the advantages of all the courts of our land, without making any provision whatever for those citizenship obligations which the rest of us have to assume. I desire to say that if this provision is allowed to stand without the amendment which I have offered, a sluiceway will be opened for men to come into this country who do not conform to the immigration regulations of the United States—men who may be criminals, men who may not be fit for citizenship in the United States—and it seems to me this is the time to insert a precautionary provision, so that men who are neither sailors nor firemen, but who assume to come in as such, though at heart and in experience and of record they may be crooks, shall not come into the United States in violation of those laws which impose restrictions upon all others.

Mr. ALEXANDER. I understand the gentleman offers an amendment at the end of line 25, on page 4, and that section 4530 deals altogether with the wages of seamen. The amendment is not germane, but I will not make a point of order against it. It is absolutely foreign to the subject matter of the section.

The SPEAKER. The question is on the amendment of the gentleman from Pennsylvania [Mr. Moore].

The question being taken, the amendment was rejected.

Mr. UTTER. Mr. Speaker, I move to strike out the last two words, for the purpose of asking the chairman of the committee a question for information. This bill applies to coastwise and lake steamers alike, does it not?

Mr. ALEXANDER. That is the intention.

Mr. UTTER. Then suppose a steamer leaves Buffalo, stops at Cleveland, goes along and stops at Detroit. At each place a seaman could demand half his wages, and they must be paid within 48 hours?

Mr. ALEXANDER. It does not say so. It says he must give 48 hours' notice.

Mr. UTTER. But the seaman has the right at each place to demand the proportion of his wages due him at that time, which must be paid in 48 hours?

Mr. ALEXANDER. No; if he wants part of his wages at that port he must give 48 hours' notice.

Mr. UTTER. He must give 48 hours' notice, after he comes to port, that he wants half his money within 48 hours.

Mr. ALEXANDER. The vessel, under the circumstances the gentleman states, would not remain at one port 48 hours.

Mr. UTTER. The section does not say anything about a vessel remaining in port 48 hours.

Mr. ALEXANDER. No; it says if he wants his wages in that port, he must give 48 hours' notice.

Mr. UTTER. No; it says he must ask for his wages at that port, and that they must be paid him within 48 hours.

Mr. ALEXANDER. I can not agree with the gentleman's construction of the language.

Mr. UTTER. It says simply that he is entitled to receive his wages within 48 hours after demanding them. It does not make any difference whether he is on the sea, or a river or lake. When the 48 hours are up he is entitled to his wages.

Mr. ALEXANDER. I regret that I can not agree with the gentleman's construction.

Mr. MANN. Mr. Speaker, I will oppose the pro forma amendment. I suggest to the gentleman that while it is true apparently that a seaman could demand and on a series of demands be entitled to one-half of his wages at Philadelphia and another one-half at the next port that he reached, although it might be reached within a few hours, the probable result would be that he would get all of his wages and get the boot.

Mr. UTTER. I am not looking for trouble for anybody. I am simply calling attention to the possibilities that may arise under the law.

The SPEAKER. If there be no objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 4. That section 4559 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4559. Upon a complaint in writing, signed by the first and second officers or a majority of the crew of any vessel, while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky or insufficiently supplied with sails, rigging,

anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not or have not been during the voyage sufficient or wholesome, thereupon, in any of these or like cases, the consular or a commercial agent who may discharge any of the duties of a consul shall cause to be appointed three persons of like qualifications with those described in section 4557, who shall proceed to examine into the cause of complaint and who shall proceed and be governed in all their proceedings as provided by said section."

Mr. WEEKS. I move to strike out the last word, for the purpose of asking a question. Why, in line 5 of that section, is the limitation made to the first and second officers? Why not any officer of the ship?

Mr. ALEXANDER. If the gentleman will turn to page 102 of the navigation laws, 1911—

Mr. WEEKS. I have not the volume at hand.

Mr. ALEXANDER. I will read it; the law is in these words:

Upon a complaint in writing, signed by the first or second officer and a majority of the crew of any vessel while in a foreign port, that such vessel is in an unsuitable condition to go to sea—

And so forth. The change made in the bill is this: It provides that—

Upon a complaint in writing, signed by the first or second officer or a majority of the crew while in a foreign port.

We retain the language of the section, except we change "and" to "or" and provide that the first or second officer or a majority of the crew may demand an inspection of the vessel; it will not require the concurrence of the first or second officer for a majority of the crew to secure an inspection of the vessel.

Mr. WEEKS. I think the language in the law is unfortunate. The vessel may be a large one, with four or five officers. There is no reason it should be limited to the first or second officer. It should cover all vessels and all officers. I want to suggest to the gentleman in charge of the bill (I am not going to offer any amendment) that I think he is going too far in limiting this to the first and second officer or the crew.

I think if he had provided that the crew, indorsed by an officer, could do this, and made a limitation of that character, the provision would then be suitable, but in its present form it does not strike me as wise, because a vessel may be held up for a long time on what may prove to be a trivial objection.

Mr. ALEXANDER. Mr. Speaker, of course the first and second officers of the vessel are the most responsible officers, and hence they are clothed with greater authority. The only change we make is this, that the first or second officer or a majority of the crew on the vessel, if they regard the vessel to be in an unsuitable condition to go to sea, may require an inspection.

Mr. MADDEN. You use the word "or" instead of the word "and."

Mr. ALEXANDER. Yes. Under the existing law, although the crew act as a unit in demanding the inspection of the vessel, claiming it is unseaworthy, they can not get that inspection unless their demand is also concurred in by the first or the second officer, and it was to relieve them of that embarrassment and place it in the power of the crew or a majority of the crew to demand an inspection, whether the first or second officer demanded it or not, that we amended the law in this respect.

Mr. WEEKS. Mr. Speaker, I would not limit the restrictions, if I had it to do, which would prevent the sending of a ship to sea which was in any way unseaworthy. I am entirely in accord with the gentleman's desire in that respect, but let me call his attention to the fact that he is leaving in the hands of a majority of the crew a possibility of holding up the sailing of a ship for what may be a considerable time, and if that is done every time a ship fails to sail it means material loss not only directly but indirectly, because the ship may have on board stores which may be spoiled in the delay. It seems to me there ought to be some limitation added to a majority of the crew in order to bring about the purpose which the gentleman desires and which will mean safety to ship-owners as well.

Mr. ALEXANDER. Mr. Speaker, under the statute as it exists that limitation is in the form I have stated—that the majority of the crew, with the concurrence of the first or second officer, may demand an inspection—but the bill provides that a majority of the crew may demand this inspection although the officers may not concur in the demand. The sailors claim this right, as their lives may be imperiled by the unseaworthiness of the ship.

Mr. WEEKS. I would be quite content if it were left to a majority of the crew, indorsed by one officer.

Mr. ALEXANDER. That is the existing law, and we have amended it for the reasons stated.

Mr. HUMPHREY of Washington. Mr. Speaker, will the gentleman yield?

Mr. WEEKS. Yes.



Mr. HUMPHREY of Washington. In the gentleman's experience at sea, does he think it would be a wise provision for us to place it by this law in the power of the crew alone to demand these inspections in the foreign ports? The gentleman will notice that this applies only to a foreign port.

Mr. WEEKS. Mr. Speaker, my judgment is that this is an ill-advised step, and the gentlemen who are fathering it will live to see that it is so.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. WILSON of Pennsylvania. Mr. Speaker, I want to say in reply to the gentleman from Massachusetts [Mr. WEEKS] that the existing law provides that a survey may be made upon the demand of the first or second officers and a majority of the crew, but it may not be made upon the demand of a majority of the crew alone. The owner of the vessel has his special representatives in the officers of the vessel. The crew has no protection whatsoever, except from the representatives of the owners of the vessel. All that a member of the crew has in this world as a rule is his life. That life is placed in jeopardy when he goes to sea in a vessel which is unsafe, and when a majority of the crew are of the same opinion that the vessel is unsafe, whether the officers, the representatives of the owners, concur in that opinion or not, justice to those seamen requires that the survey should be made, and hence we propose the change.

Mr. WEEKS. Mr. Speaker, will the gentleman yield?

Mr. WILSON of Pennsylvania. Certainly.

Mr. WEEKS. Mr. Speaker, I would like to ask if any case has ever been brought to the attention of the gentleman from Pennsylvania where a crew has represented a ship to be unsafe and the ship has gone to sea and any accident has come to it?

Mr. WILSON of Pennsylvania. There has not; and, so far as I am concerned, I am not anxious that it should be demonstrated to me by an accident that it is necessary that we should have this kind of a law.

Mr. WEEKS. But it does seem to me that when we place it in the hands of men who are simply temporarily serving on a ship to hold it up under conditions which may be very destructive to property, we ought to have some substantial reason for it.

Mr. WILSON of Pennsylvania. We have had some claims made here on the floor of this House during this debate that the *Titanic* was not soundly constructed; and if she was not soundly constructed, then she was not seaworthy. If that be true, then a majority of the members of her crew ought to have had the right to have asked for a survey of that vessel.

Mr. WEEKS. But that vessel should have been surveyed and those matters determined in her home port before she sailed. It is true, undoubtedly, that the *Titanic* was not as well built as was the *Great Eastern*, which was constructed more than 60 years ago. She is said not to have had longitudinal bulkheads up to the water line, which was faulty construction, but she should have been inspected by English inspectors before she was allowed to sail. That is a very different proposition from inspection in foreign ports where the ship may be tied up.

Mr. WILSON of Pennsylvania. It is not at all foreign to the right of the seamen to have a survey of the vessel. Their lives, the only thing they have, are at stake, and when a majority of them concur in the opinion that the vessel is unsafe they ought to have the privilege of having a survey of that vessel.

Mr. HUMPHREY of Washington. Mr. Speaker, I move to strike out the last word. I want to call the attention of the House to the fact that this provision goes much further than the gentleman from Pennsylvania [Mr. WILSON] has stated. It does seem to me the gentleman proceeds on a wrong theory. All of his arguments are that there is an antagonism and a war between the officers and the crew. While he talks about the fact that the sailors have only their lives, if the ship is unsafe, it is also true that the officers have at stake their lives just as much as do the sailors, and they are just as much interested in safety as are the sailors.

The men who own the vessels certainly have some interest, and they are represented only by the officers; so you place it entirely within the hands of the seamen, and the owner has no right whatever. If it was only a question of safety, I would not object to it; but let me call the gentleman's attention to another thing. He talks about the safety of the vessel. No one thinks a vessel ought to go to sea when there is any question about its safety, but this provision places it within the power of the seamen for various other reasons to tie up this vessel, as the gentleman from Massachusetts [Mr. WEEKS] has pointed out. It says "that such vessel is in an unsuitable condition to go to sea, because she is leaky or insufficiently sup-

plied with sails, rigging, anchors, or any other equipment"—there is no objection to that—"or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not or have not been during the voyage sufficient or wholesome; thereupon," and so forth.

Now, you go so far as to place an American vessel in a foreign port entirely in the hands of the seamen who have no interest in that vessel. You take away from the officers any command over the matter and the owner of the vessel is not represented, and you tie up and delay that vessel not because she is unsafe, not because of insufficient manning, but because the provisions or stores have not been satisfactory not only upon the outgoing voyage, but also on the voyage on which she came in. I think that is not fair legislation.

Mr. WILSON of Pennsylvania. If the vessel is unsafe or if it is insufficiently manned or if it has insufficient stores, there is no power in existing law or no power in this proposition to compel the master to send that vessel to sea; but if it is in that kind of a condition and the master wants it to go to sea, there is no power at the present time that can protect the sailor from going to sea with that vessel unless one of the minor officers agrees with the majority of the crew that it is in that condition.

Mr. HUMPHREY of Washington. If the gentleman pleases. In this very bill we provide that these seamen can immediately leave the vessel—not only leave the vessel, but can demand their wages and can not be compelled to go back upon that vessel. Now we give the seamen the power to leave, to secure their wages which may be due to them, to make it impossible to place them back on the vessel, and this is in a foreign port. I do not think you are doing any good by making this kind of a provision. Now, remember, this is in a foreign port. If it were in an American port it is a different proposition, but in a foreign port it rests entirely upon the crew. I think that the law as it stands is a proper law and that provides that a majority of the crew and one officer, either the first or second, must make the complaint.

The SPEAKER. The gentleman withdraws his pro forma amendment, and the Clerk will read.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 5, line 12, by striking out, after the word "cases," down to and including the word "consul," in line 14, and inserting the following: "The consul of the United States at such foreign ports."

Mr. MOORE of Pennsylvania. Mr. Speaker, this section as it stands proposes that complaint shall be made to the consular agent or the commercial agent, and if left in that form it leaves the consul of the United States out of consideration. Commercial agents are not very numerous in foreign countries and are growing less, but evidently the purpose was that those who had complaints to make should make them to an officer of the United States, who in this instance would be the consul of the United States.

Mr. ALEXANDER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. ALEXANDER. The only change in section 4556, as amended, is the change of "and" for "or" in the instance the gentleman has stated. That is the only change in that section. That has been the law for many years. It is in the act of December 21, 1898.

Mr. MOORE of Pennsylvania. That is the existing law?

Mr. ALEXANDER. Exactly.

Mr. MOORE of Pennsylvania. Then I raise the question for the benefit of the gentlemen who are advocating the bill—and in all its good features I would like to support the bill—whether we had not better amend existing law while we have the opportunity to do it.

Mr. ALEXANDER. I do not see any necessity for doing so, and I can not appreciate the merit of the gentleman's argument.

Mr. MOORE of Pennsylvania. Where does the complainant go when he has to go to the consular agent or to a commercial agent? Why not say he shall go to a consul of the United States? As it reads now he may go to a commercial agent of any country. We have very few commercial agents abroad, and if you want the men to get redress for their grievances, or if you want to give them a fair hearing, let them go to the consul of the United States. If the law has been ambiguous heretofore, let us say so.

Mr. ALEXANDER. I call the gentleman's attention to the section. [Reading:]

Upon a complaint in writing, signed by the first or second officer and a majority of the crew of any vessel while in a foreign port, that such vessel is in an unsuitable condition to go to sea because she is leaky

or insufficiently supplied with sails, rigging, anchors, or any other equipment, or that the crew is insufficient to man her, or that her provisions, stores, and supplies are not, or have not been during the voyage, sufficient and wholesome; thereupon, in any of these or like cases, the consul, or a commercial agent who may discharge any duties of a consul, shall cause to be appointed three persons, of like qualifications with those described in section 4557, who shall proceed to examine into the causes of complaint, and they shall be governed in all their proceedings and proceed as provided in section 4557.

Now, if you will turn to section 4557, you will note that it provides as follows:

The judge or justice in a domestic port shall upon such application of the master or commander issue his precept—

And so forth.

This has been the law for many years, and there has been no complaint about the procedure. The law is very clear.

Mr. MOORE of Pennsylvania. Is the entire section existing law?

Mr. ALEXANDER. Except in the particular I have mentioned.

Mr. MOORE of Pennsylvania. I call attention to line 16, about in the middle of the page, where it says, "who shall proceed to examine into the cause of complaint and who shall proceed and be governed in all their proceedings as provided by said section." Now, with all those "proceeds" and "proceedings" that is existing law?

Mr. ALEXANDER. I have read from section 4557, page 102, navigation laws of the United States, 1911.

Mr. MOORE of Pennsylvania. You propose to amend existing law, and I have thought that this would be the time to do it.

Mr. HUMPHREY of Washington. I will say for the gentleman's information that the only change there is in this section from the existing law is the word "and," in line 5, which is changed to "or," and the word "or," in the eleventh line, which is changed to "and."

The SPEAKER pro tempore (Mr. FOSTER). The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the amendment was rejected.

Mr. MOORE of Pennsylvania. I offer another amendment, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. MOORE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 5, line 17, after the word "complaint," by striking out all up to and including the word "proceeding," on line 18, and inserting the words "and be governed."

Mr. MOORE of Pennsylvania. Mr. Speaker, if, having an opportunity to correct the law, the gentleman does not care to do so I will not press the matter. I submit that this is a change that can be very well made. It affects the phraseology of the bill and makes it effective. As the law now stands, if it is the law, and as this paragraph stands, it is tautological and unnecessary.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 5. That section 2 of the act entitled "An act to amend the laws relating to navigation," approved March 3, 1897, be, and is hereby, amended to read as follows:

"SEC. 2. That on all merchant vessels of the United States the construction of which shall be begun after the passage of this act, except yachts, pilot boats, or vessels of less than 100 tons register, every place appropriated to the crew of the vessel shall have a space of not less than 100 cubic feet and not less than 16 square feet, measured on the floor or deck of that place, for each seaman or apprentice lodged therein; such place or lodging shall be securely constructed, properly lighted, drained, heated, and ventilated, properly protected from weather and sea, and, as far as practicable, properly shut off and protected from the effluvia of cargo or bilge water. And every such crew space shall be kept free from goods or stores not being the personal property of the crew occupying said place in use during the voyage.

"Every steamboat of the United States plying upon the Mississippi River or its tributaries shall furnish an appropriate place for the crew, which shall conform to the requirements of this section, so far as they are applicable thereto, by providing sleeping room in the engine room of such steamboat, properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides and forward, reaching from the boiler deck to the lower or main deck, under the direction and approval of the Supervising Inspector General of Steam Vessels, and shall be properly heated.

"All merchant vessels of the United States the construction of which shall be begun after the passage of this act having more than 20 men on deck must have at least one light, clean, washing place. There shall be provided at least one washing outfit for every 2 men of the watch. The washing place shall be properly heated. A separate washing place shall be provided for the fireroom and engine-room men, if their number exceed 10, which shall be large enough to accommodate at least one-sixth of them at the same time, and have hot and cold water supply and a sufficient number of washtubs, sinks, and shower baths.

"Any failure to comply with this section shall subject the owner or owners to a penalty of \$500."

Mr. LONGWORTH. Mr. Speaker, I move to amend by striking out, on page 5, line 25, the words "yachts, pilot boats, or."

The SPEAKER pro tempore. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 5, line 25, by striking out the words "except yachts, pilot boats, or."

Mr. WILSON of Pennsylvania. I have no objection to the amendment.

Mr. LONGWORTH. It is simply to define the words "merchant vessel," because, under the definition of the gentleman from Missouri [Mr. ALEXANDER], merchant vessels are those which carry passengers or cargo for hire, so that a yacht or a pilot boat could under no circumstances be construed to be a merchant vessel. The words I moved to have stricken out were the words "yachts, pilot boats, or" and not the word "except."

Mr. HUMPHREY of Washington. Mr. Speaker, as I understand it, the gentleman intends to compel that there shall be 120 feet space for each seaman on yachts and pilot boats?

Mr. LONGWORTH. Not at all. I simply mean that under the definition of merchant vessels yachts or pilot boats can not come in, and therefore there is no use of having them in this section.

Mr. HUMPHREY of Washington. I think the gentleman is mistaken about that. If he can find any definition of a merchant vessel, he can do more than I can.

Mr. LONGWORTH. I am taking the definition of the gentleman from Missouri [Mr. ALEXANDER].

Mr. HUMPHREY of Washington. I think the difference between a merchant vessel and any other vessel is the difference between a merchant vessel and a war vessel.

Mr. LONGWORTH. That is precisely the reason I am offering this amendment. The chairman of this committee has defined what the committee understands by the words "merchant vessel." He has defined a merchant vessel to be any vessel which carries cargo or passengers for hire. Now, a yacht or pilot boat can not be considered as a merchant vessel under that definition.

Mr. HUMPHREY of Washington. Was it the gentleman who had the bill in charge or the gentleman from Pennsylvania [Mr. WILSON] who gave the definition?

Mr. LONGWORTH. I thought it was the gentleman who had the bill in charge. The amendment that I offer is to strike out the words "yachts, pilot boats, or," so that it will read:

That on all merchant vessels of the United States the construction of which shall be begun after the passage of this act, except vessels of less than 100 tons' register.

If the gentleman's definition is right, then there is no way of excepting yachts and pilot boats.

Mr. ALEXANDER. I will say to the gentleman from Ohio that I never gave a definition of the words "merchant vessel." That definition was given by the gentleman from Pennsylvania [Mr. WILSON].

Mr. LONGWORTH. I beg the gentleman's pardon. I understood that it was given by the gentleman from Missouri.

Mr. ALEXANDER. I will say to the gentleman from Ohio that he will not accomplish his purpose by the amendment. It says:

Except yachts, pilot boats, or vessels of less than 100 tons register.

Now, if a yacht should be engaged in the business of carrying passengers, accepting the definition of the gentleman would except it from the provisions of this section.

Mr. LONGWORTH. Does the gentleman mean that the 100 tons register applies to yachts?

Mr. ALEXANDER. It applies to yachts without reference to their tonnage.

Mr. LONGWORTH. I did not understand that.

Mr. ALEXANDER. And it applies to pilot boats as well.

Mr. LONGWORTH. Then, Mr. Chairman, I withdraw the amendment.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to offer an amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, page 6, line 13, by striking out the entire sentence beginning with the word "every," on line 13, and concluding with the word "heated," on line 23.

Mr. MOORE of Pennsylvania. Mr. Speaker, I think this sentence is worth reading, as showing how carefully the bill has been drawn. It begins:

Every steamboat of the United States plying upon the Mississippi River or its tributaries shall furnish an appropriate place for the crew.

That is a fine thing for a steamboat on the Mississippi to do. The "steamboat" is charged "to furnish an appropriate place



for the crew," and it has to conform to the requirements of this section. Now, the steamboat gets its instructions. Its duty is, so far as applicable, to provide sleeping room in the engine room of the steamboat. Think of it! Down on the Mississippi River the boats coming out of New Orleans, with the negroes on bales of cotton, their tongues hanging out for want of breath, assigned by the steamboat to the engine room—an engine room which is "to be properly protected from the cold, wind, and rain." And this is in the interest of the deep-sea sailor. Sleeping room in the engine room of such steamer on the Mississippi is to be "properly protected from the cold, wind, and rain by means of suitable awnings or screens on either side of the guards or sides and forward."

What this means somebody who has written the bill will have to interpret. The section proceeds further:

Reaching from the boiler deck to the lower or main deck, under the direction and approval of the Supervising Inspector General of Steam Vessels, and shall be properly heated.

Think of these poor seamen, these dark-hued fellows, toiling away down near New Orleans on the bales of cotton, hanging onto the screens and sleeping in the engine room because it is so cold in that section of the country. [Laughter.] And the steamboat is to do all this "under the direction and approval of the Supervising Inspector General of Steam Vessels, and shall be properly heated."

Mr. Speaker, I have moved to strike out this paragraph. It seems to me it would take even more than a Philadelphia lawyer to properly interpret this paragraph into a benefit for the poor sailor down on the Mississippi River, lolling along there on his bales of cotton. I believe it ought to be straightened out before we go much further. It may be that this paragraph is borrowed from existing law, and should not be changed. If so, I will submit, as I have in other instances, to the will of the majority of the House. But I respectfully submit that the gentleman ought not by law to impose on any steamboat any such obligation as is imposed upon it in this paragraph. We ought to put that responsibility on some one, perhaps on the master of the vessel or on the Supervising Inspector General of Steam Vessels, or perhaps we might strike out the word "master" altogether, since it is a term which is offensive to organized labor, and insert instead of it the term "captain," which would be a little more American and a little less suggestive of that serfdom which this bill is supposed to remove.

I submit, Mr. Speaker, that this paragraph ought to go out, or else the committee ought to submit an intelligible amendment to it.

Mr. WILSON of Pennsylvania. The gentleman from Pennsylvania [Mr. MOORE] reminds me very much of the story they tell of Henry Labouchere, the editor of the London Truth, who conducted a query column in his paper. One of his correspondents asked him to reply in the query column relative to the grammatical construction of a certain sentence, and Labouchere replied, saying that language was created for the purpose of conveying thought, and if the language conveyed the thought it was sufficiently grammatical for all practical purposes. "For instance," he said, "if I said 'There are a great many damned fools in the world,' or 'There is a great many damned fools in the world,' my meaning would be clear just the same." [Laughter.] The language that the gentleman objects to is taken from existing law, and this bill simply continues that without change.

Mr. MOORE of Pennsylvania. Then the gentleman still insists that the steamboat shall provide these quarters, does he? The gentleman still insists, when he goes into court in behalf of these sailors, that the steamboat shall be responsible?

Mr. WILSON of Pennsylvania. I insist, Mr. Speaker, that the language is the language of existing law and that the courts have interpreted that law; and no layman can ever determine in advance what the interpretation of a court will be upon the language in any bill. [Applause.]

Mr. MOORE of Pennsylvania. I have pointed out the difficulty that may confront the gentleman when he gets to court.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the amendment was rejected.

Mr. HUMPHREY of Washington. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Washington [Mr. HUMPHREY] moves to strike out the last word.

Mr. HUMPHREY of Washington. Mr. Speaker, I do so for the purpose of calling the attention of the House to that portion of the paragraph that provides that there shall be a space of "not less than 100 cubic feet and not less than 16 square

feet, measured on the floor of the deck of that place, for each seaman or apprentice lodged therein."

I have no objection to that provision. I have been in favor of that portion of the bill for a good many years. But in the report filed by the committee there are statements made with reference to the space furnished by American vessels that I think in justice to the American vessel owners ought to be corrected. In the first place, foreign vessels are not measured in the same way that we measure ours. In measuring space in a foreign vessel the wash rooms and some other spaces are taken into consideration. That is not true with us.

I further want to say, for the benefit of the House, that most of the American vessels comply with the provisions of this bill already. There is no objection to the provision going into the bill, so far as I know, but I do not think that a statement of the kind that is made in the report, that would indicate that American vessel owners have less regard for their sailors than have the vessel owners of other countries, ought to go undisputed when it is not correct.

Mr. WEEKS. I move to strike out the last two words, for the purpose of asking a question for information. Why is the Mississippi River and its tributaries included in this bill and not other rivers?

Mr. ALEXANDER. We did not amend that feature of the law. The essential amendment to the section relates to the crews placed on vessels. There are many features of the section which we do not undertake to amend at all, which are existing law.

Mr. WEEKS. I did not know but there might be some reason that I did not know why this should apply to the Mississippi River and its tributaries and not apply to other rivers.

Mr. ALEXANDER. We did not consider that feature at all. Answering the gentleman from Washington [Mr. HUMPHREY], I do not know why he should be so sensitive of the feelings of the shipowner. All through the consideration of this bill his plea has been for the shipowner. It seems to me that the time might come when he could have a word to say for the sailor.

It is only in recent years that the laws of foreign countries have increased the crew space of vessels to 120 cubic feet per man. There was no shipowner before our committee who objected to this increase of crew space, if it applied to vessels hereafter to be constructed. They all said that if we should make it applicable to vessels now in the service it would involve serious expense and injury.

Mr. HUMPHREY of Washington. Did I understand the gentleman to make the statement that I was opposed to this provision?

Mr. ALEXANDER. No; but I say the gentleman's explanation was entirely unnecessary.

Mr. HUMPHREY of Washington. I called attention to the statement in the report, which is not correct.

Mr. ALEXANDER. I beg the gentleman's pardon. The statement in the report is correct.

Mr. HUMPHREY of Washington. It is correct as far as it goes, but it does not show all the facts. It does not show that there is a different method of measurement between this country and other countries, and it did not state that the shipowners had no objection to the amendment, which fact the gentleman has just admitted.

Mr. ALEXANDER. There is no evidence before the committee to show that there is a different rule by which the space in foreign vessels is measured.

The SPEAKER pro tempore. If there be no objection, the pro forma amendment will be withdrawn.

Mr. BURLESON. I ask unanimous consent to extend my remarks in the Record, for the purpose of placing therein the speech made before the Democratic national convention at Baltimore by Hon. John W. Westcott, of Camden, N. J., nominating Gov. Woodrow Wilson for President, and the seconding speeches of Hon. A. MITCHELL PALMER, of Pennsylvania, and Hon. THOMAS P. GORE, of Oklahoma. These speeches are all short. I spoke to the gentleman from Illinois [Mr. MANN] about submitting this request, and he said that he would make no objection.

Mr. HUMPHREY of Washington. Reserving the right to object, I have no objection if I understood the gentleman correctly. The gentleman from Illinois [Mr. MANN] asked me to see that nothing went in by unanimous consent.

Mr. BURLESON. I will state to the gentleman from Washington that the gentleman from Illinois [Mr. MANN] said it was his purpose at the same time, if my request was granted, to ask unanimous consent himself to place something in the Record, and I told him that, as far as I was concerned, I would make no objection.

Mr. HUMPHREY of Washington. With the understanding that that was the agreement—

Mr. BURLESON. I now ask that the same privilege be extended to the gentleman from Illinois [Mr. MANN] that I ask for myself.

The SPEAKER pro tempore. The gentleman from Texas also asks that the same privilege be extended to the gentleman from Illinois [Mr. MANN].

Mr. MOORE of Pennsylvania. I have no objection in the world to the insertion of speeches of this kind, but I call the attention of the gentleman to the fact that on a recent occasion when a request was made on this side an interrogation came from the other side of the House as to whether the speeches were of a political nature. If the line is to be drawn, of course that alters the situation. I do not object that speeches of this kind shall be inserted, but I do draw the attention of the House to the fact that I had this experience myself when I asked permission to extend, and was asked by gentlemen on the other side if the remarks were of a political nature, and had to give assurances that they were not.

Mr. BURLESON. Of course these speeches are of a political nature.

Mr. WEEKS. Do I understand the gentleman to say that if a request is made from this side to print the speeches that were made at the Chicago convention no objection will be made?

Mr. BURLESON. Absolutely none, so far as I am concerned.

Mr. HAWLEY. Will the gentleman include a request for permission for me to extend some remarks on the battleship *Oregon*?

Mr. BURLESON. As far as I am concerned I will make no objection.

The SPEAKER pro tempore. The gentleman includes in his request a further request that the gentleman from Oregon have permission to print some remarks concerning the battleship *Oregon*.

Mr. BURLESON. Mr. Speaker, I do not desire to consume so much of the time of the House. I withdraw the request.

The SPEAKER pro tempore. The request is withdrawn. The Clerk will read.

The Clerk read as follows:

SEC. 6. That section 4596 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4596. Whenever any seaman who has been lawfully engaged or any apprentice to the sea service commits any of the following offenses he shall be punished as follows:

"First. For desertion, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

"Second. For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel or for absence without leave at any time within 24 hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at any time without leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than two days' pay or sufficient to defray any expenses which shall have been properly incurred in hiring a substitute.

"Third. For quitting the vessel, without leave, after her arrival at the port of her delivery and before she is placed in security, by forfeiture from his wages of not more than one month's pay.

"Fourth. For willful disobedience to any lawful command at sea, by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port by forfeiture from his wages of not more than four days' pay, or, at the discretion of the court, by imprisonment for not more than one month.

"Fifth. For continued willful disobedience to lawful command or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every 24 hours' continuance of such disobedience or neglect, of a sum of not more than 12 days' pay, or by imprisonment for not more than three months, at the discretion of the court.

"Sixth. For assaulting any master or mate, by imprisonment of not more than two years.

"Seventh. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment of not more than 12 months.

"Eighth. For any act of smuggling for which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction, or on account of such liability, and he shall be liable to imprisonment for a period of not more than 12 months."

Mr. BURLESON. Mr. Speaker, I move to strike out the last word. I now renew the request that I made a moment ago to extend my remarks in the RECORD, for the purpose indicated, and ask that the gentleman from Illinois [Mr. MANN] may have the same privilege extended to him.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that he be permitted to insert certain speeches in the RECORD, and that the gentleman from Illinois [Mr. MANN] have a similar privilege.

Mr. RODDENBERRY. May I inquire of the gentleman what is the purpose of publishing these political speeches?

Mr. BURLESON. A number of Members have requested that these speeches be placed in the RECORD, and I thought they might be of interest to many other Members of the House. This nominating speech and the seconding speeches were carefully prepared speeches, and were highly creditable to the gentlemen who delivered them.

Mr. RODDENBERRY. They were published in the newspapers at the time.

Mr. BURLESON. No; they have never been published in full.

Mr. RODDENBERRY. I object.

The SPEAKER pro tempore. The gentleman from Georgia objects.

Mr. MOORE of Pennsylvania. Mr. Speaker, I move to strike out the last word. I desire the attention of the chairman of the committee to the fifth paragraph, which provides for the punishment of seamen at the option of the master, who may place them in irons. A little later on in the bill it is proposed to remove all forms of corporal punishment. How does the gentleman harmonize section 8, which provides that "flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel," with the fifth paragraph of the section just read, which especially provides that the captain shall have the power to place a man in irons? How can you abolish corporal punishment on the one hand and institute it on the other?

Mr. ALEXANDER. Mr. Speaker, we mitigate in part, but not altogether. We recognize the duty of a seaman while the vessel is at sea and that he shall be subject to punishment, but we differentiate between his condition then and in the event that he deserts while in port. When the vessel is at sea, if he does not obey orders he jeopardizes not only the vessel and the officers and crew but the passengers, if it be a passenger vessel, and puts them in great peril. I will call the attention of the gentleman from Pennsylvania to the fact that the fifth subdivision of section 4596 is in the exact language of the existing law. It provides:

Fifth. For continued willful disobedience to lawful command or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every 24 hours' continuance of such disobedience or neglect, of a sum of not more than 12 days' pay, or by imprisonment for not more than three months, at the discretion of the court.

Mr. MOORE of Pennsylvania. The man may still be taken into custody by the master of the vessel during the voyage and placed in irons?

Mr. ALEXANDER. Yes.

Mr. MOORE of Pennsylvania. Then the existing law, so far as that punishment is concerned, is not affected by the passage of this bill?

Mr. ALEXANDER. It will not be.

Mr. MOORE of Pennsylvania. I would like to know whether or not the gentleman distinguishes the placing of a man in irons on shipboard from the involuntary servitude which it is proposed to abolish.

Mr. ALEXANDER. I have undertaken to explain to the gentleman why it was necessary to enforce absolute obedience to lawful orders at sea. The vessel does not have any jail or calaboose. If a man violates an order at sea, and is subject to punishment, he must be restrained of his liberty, and that has been the view of the lawmaking power for all time past, and the necessity for that punishment has not ceased. At least, the committee in revising this section did not believe it wise to repeal this provision of the law.

Mr. MOORE of Pennsylvania. Then the authority of the captain on shipboard during the voyage is as absolute as if ever was?

Mr. ALEXANDER. It is; and properly so, except this, that he can not flog a sailor.

Mr. MOORE of Pennsylvania. That is abolished by this act?

Mr. ALEXANDER. That is abolished by this act.

Mr. MOORE of Pennsylvania. Vessels used to have what was called a brig, in which an unruly seaman, or one who had committed a crime on board, or who had become insane or was otherwise irresponsible, could be imprisoned.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to proceed for one minute more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. I was wondering whether the committee had given consideration to the advisability of having



that brig established or reestablished, so that a man might be imprisoned rather than put in irons, since the placing of a man in irons is certainly corporal punishment.

Mr. RAKER. Mr. Speaker, I move to strike out the following, which is found in lines 19 and 20, on page 8:

On bread and water, with full rations every fifth day.

I want to call the attention of the House to this fact: That if you place a man in irons, you have got him pretty tight. It was the policy for years in putting a man in jail for all kinds of offenses to place him on bread and water. That barbarous custom has been abandoned, and justly so. You can not starve a man, you can not break down his vitality, and put him into condition to reform.

He will reform on a full stomach and under healthy conditions better than he will reform under starvation. Civilization has recognized that fact, and when we place a man in prison to-day we place him in irons and cells so that he can not hurt himself or others, but we still do not go to the limit that we used to of starving him to death. If a man is placed in irons, give him enough to eat. Is he not going to reform more quickly than under conditions of starvation? Will there be any question on earth about that? Is there any place in the United States where the old barbarous custom is still in force?

Mr. HUMPHREY of Washington. Will the gentleman yield?

Mr. RAKER. Certainly.

Mr. HUMPHREY of Washington. Suppose a situation should arise where you were at sea and the vessel was in a dangerous condition and the lives of the passengers were at stake, and in order that the vessel might be saved the seamen had to perform their duties, and they refused. Would you put the seamen in irons under those conditions and keep them well fed? I think the gentleman is entirely mistaken about the purpose of this statute. I agree with him exactly that the purpose of imprisonment usually is to reform, but here the purpose is to make the seaman perform his duty.

Mr. RAKER. And will he not be better able to perform that duty if he is well fed?

Mr. HUMPHREY of Washington. How long might it take a sailor if he was well fed to change his mind and decide to perform his duty?

Mr. RAKER. That has been the old argument from the barbarous days until we relieved ourselves of that condition by proper legislation.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. HOBSON. Mr. Speaker, I rise simply for the purpose of trying to throw a little light on this question of punishment. In the Navy the putting of a man in irons is not considered corporal punishment. Flogging in the Navy has been abolished for a great many decades, and yet in certain cases men are put in irons, single and double, and they are put in irons on bread and water.

Mr. HARDY. Mr. Speaker, I rise to say that the gentleman from Pennsylvania [Mr. WILSON] was a little mistaken in saying that corporal punishment had not been abolished in the merchant marine. It has been.

Mr. HOBSON. That was my impression.

Mr. HARDY. The only difference this law makes is that under the existing law the master is liable in damages to a person injured by violation of the law, and not the vessel, while this law makes the vessel also liable, so as to give some real remedy.

Mr. HOBSON. I am in favor of a revision of the law—

Mr. BUTLER. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. BUTLER. I desire to have my recollection set right, for I know the gentleman is informed—

Mr. HOBSON. The gentleman does me great honor.

Mr. BUTLER. I thought we had abolished punishment by the putting of seamen in irons. I thought we had abolished that form of punishment by an act of Congress which was passed. I was under the impression I had voted for—I know I advocated it—the abolishing of the placing of sailor men in irons.

Mr. HOBSON. If it was, it was when I was neither in the House nor in the Navy. I do not think that is the case, Mr. Speaker. I think the gentleman will find that the application of irons, single or double, is still practiced in the Navy in certain cases, and if my memory is correct, they may be confined on bread and water for a period not to exceed seven days. Now, I will say to the gentleman from California [Mr. RAKER] that I am not in favor of harsh punishment, and I do not want him to misunderstand me when I tell him that the evident purpose of this kind of punishment in the Navy, and doubtless in the merchant marine, has been to deter men from committing

the same kind of infraction or the same kind of lawlessness rather than the reform of the particular person.

Mr. RAKER. Will the gentleman yield?

Mr. HOBSON. Certainly.

Mr. RAKER. Can the gentleman imagine any tighter place that might be had than putting a man in single or double irons? Can you do any more damage to the man by starving him while you have got him in that condition? Why not feed him and keep his body and soul alive, so when he does leave or his time expires he may be a well man and go out fit for his duty?

Mr. HOBSON. That is precisely the purpose of the limitation upon the length of time in which you can keep him on bread and water. I think it is seven days. Now, a full ration every fifth day and bread and water in the meantime will prevent starving. I would add that it is conceivable that a man might object but little to confinement on full rations who would be deeply influenced by the thought of being put on bread and water. This punishment might exert a wholesome effect to deter others from committing the same offense. However, I want to say to the gentleman I am entirely in accord with him in the general movement toward the amelioration of punishment.

Mr. RAKER. Will the gentleman yield?

Mr. HOBSON. I will.

Mr. RAKER. Is not that the same argument made when the laws were sought to be repealed, and eventually repealed, in regard to keeping men in prison on bread and water? Is it not because of the humane treatment of our prisoners, because of separating the old, hardened criminal from the young man and separating the boy from the hardened criminal, that they have reformed and are reforming them every day and getting better citizens instead of keeping them together, and does not the same reason apply to this same argument?

Mr. HOBSON. I think the gentleman has much force in what he says, and that these punishments to which the gentleman refers now were instituted chiefly when we had a harder class of citizens to deal with.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HOBSON. I will ask for two minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama for two minutes? [After a pause.] The Chair hears none.

Mr. HOBSON. I want to say to the gentleman that the steady reform in the world has been along the line he points out, and I am heartily in favor of it, but that care should be exercised in the adjustment to meet changed conditions. I dare say that humane treatment is the best treatment in the end, but you can not make punishment the most agreeable thing that a man can have. It is very easy to conceive a man as being put in irons and double irons and nicely fed and well fed day after day, for the very purpose of getting into these encouraging and pleasing conditions.

Mr. RAKER. Will the gentleman yield right there, because of his extended reading both in regard to the Navy and the Army. Did the gentleman ever know of a case where a man enjoyed being in single or double irons or confined to a cell, and who went there just for the pleasure of being there and getting some nice things to eat?

Mr. HOBSON. I hardly think so myself; but I can conceive how good feeding and no work might possibly have some inducement—but nevertheless I am in favor of the gentleman's general proposition. I simply wanted to throw some light on the practice in the Navy. The practice in the Navy for nearly half a century, perhaps a little more, has been to abolish corporal punishment, and yet it has been found advisable to retain confinement in the brig, and in certain cases putting in irons, single and double, and putting on bread and water. To-day, at Annapolis, our midshipmen are put in solitary confinement on bread and water.

Mr. BUTLER. Mr. Speaker, if the gentleman will permit, I discover by the act of February 16, 1909, we abolished this form of punishment. Congress abolished the use of irons as a form of punishment except where that punishment is imposed by court-martial.

Mr. HOBSON. I agree with the gentleman in that.

Mr. BUTLER. That is as an ordinary punishment.

Mr. HOBSON. For ordinary punishment it is not done, but it is still retained. It is among the punishments in the Navy.

Mr. BUTLER. It may be part of the punishment inflicted by a court-martial.

Mr. HOBSON. For a summary or a general court?

Mr. ROBERTS of Massachusetts. It is only done by a court-martial.

Mr. HOBSON. A court-martial by a summary court.

Mr. ROBERTS of Massachusetts. A commanding officer of a ship can put a man in irons to restrain him.

Mr. HOBSON. Until his trial if necessary.

Mr. FOWLER. Mr. Speaker, I offer an amendment to the amendment by striking out the comma in line 20 after the word "day," so if the original amendment is carried two commas will not be thrown together.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amend the amendment, page 8, line 20, by striking out the comma after the word "day."

Mr. FOWLER. Mr. Speaker, the amendment to the amendment is only technical in character, dealing with punctuation, which might have been corrected by the enrolling or engrossing clerk, for if the original amendment is passed it will leave two commas together, which obviously is superfluous. But, Mr. Speaker, I offered my amendment to the amendment in order that I might be in parliamentary attitude for the purpose of giving my views upon the original amendment.

I have intended to offer the original amendment myself, but the gentleman from California [Mr. RAKER], sitting by my side, wanted to get the floor first, and I yielded to him.

Mr. Speaker, I know of nothing which would be a greater punishment to a man than starvation, unless it were death itself. In fact, starvation is a species of death, which, if kept up long enough, will result in death. Now, it is proposed by this bill to punish a recalcitrant sailor by throwing him into irons, one of the severest punishments which could be inflicted upon him, and having him in this helpless condition, where he is unable to move hand or foot, confined at the mercy of his master, it is proposed, Mr. Speaker, to inflict an additional punishment upon him by placing him upon bread and water, so that he may be punished extremely at the will of him who stands as his superior in order to force him to submission to the rules and orders of his master, however harsh and drastic such rules and orders may be.

Such punishment is cruel; it is inhuman; it is un-American; it is a relic of barbarism; and no civilized country, no intelligent people can afford to keep upon the statute books a law with such a severe penalty. Massachusetts, in her early history passed laws of torture. Witchcraft was the subject of legislation in that State, and he who was guilty thereof was tortured in the most inhuman and barbarous manner, among which was the cutting off the ears and tongue, boring holes through the tongue with a red-hot poker, and finally death was dealt out by burning at the stake, and in various other inhuman and cruel manners. I hope, Mr. Speaker, that every Member of this House will promptly vote for this amendment and wipe from the statute books this inhuman and cruel punishment of laboring men and place American shipping upon a plane of humanity and intelligence. The punishment which this amendment seeks to eliminate and repeal is akin to witchcraft torture. What reason is there for it? What man would dare inflict such punishment to-day? If none, then why keep the law on the statute books?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FOWLER. Mr. Speaker, I ask unanimous consent for two minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FOWLER. Mr. Speaker, I was just saying that I hope that every Member of this House will see his way clear to support this amendment and place the American Congress on a plane of opposition to barbarism and those cruel practices of its time. Let us rise to the high sense of our duty by wiping from the statute books this relic of barbarism and show to the American people, who sent us here to legislate for them, that we have in our hearts the milk of human kindness even to the servant who is in irons for the purpose of reducing him to submission to the will of his master. [Applause.]

Mr. FOCHT. Mr. Speaker, I move to strike out the last word.

Mr. ALEXANDER. Mr. Speaker, a parliamentary inquiry. The SPEAKER pro tempore. The gentleman from Missouri [Mr. ALEXANDER] will state it.

Mr. ALEXANDER. Mr. Speaker, there have been two or three speeches made in favor of this amendment. Is it permissible for speeches to be made against it by a member of the committee?

The SPEAKER pro tempore. The gentleman from California [Mr. RAKER] made a speech favoring it, and the Chair thinks the gentleman from Alabama [Mr. HOBSON] made a speech against the amendment. The gentleman from Illinois [Mr.

FOWLER] offered an amendment striking out the comma, and he was recognized on that amendment.

Mr. RAKER. Mr. Speaker, I accept the amendment of the gentleman from Illinois [Mr. FOWLER]. [Laughter.]

The SPEAKER pro tempore. The gentleman from California can not accept it. Is the gentleman from Pennsylvania [Mr. FOCHT] opposed to the amendment?

Mr. FOCHT. Yes, sir.

The SPEAKER pro tempore. Is he opposed to striking out the comma?

Mr. FOCHT. I move, Mr. Speaker, to insert a semicolon.

Mr. HOBSON. Mr. Speaker, would it be in order to correct the Speaker?

The SPEAKER pro tempore. The Chair will be glad to be corrected, if in error.

Mr. HOBSON. I believed I produced the impression on the Speaker that I was opposed to the amendment. Then I offered another amendment. I am not opposed to the amendment, Mr. Speaker. I am sorry if I produced any such impression.

Mr. FOCHT. Mr. Speaker, I stated that I was opposed to the amendment offered by the gentleman from Illinois [Mr. FOWLER]. In support of my position in opposition to the amendment I wish to say to the gentleman that since the House voted down the amendment offered by the gentleman from Pennsylvania [Mr. MOORE], with reference to the illiteracy test, I would say that my view with regard to this section at least has been considerably change or modified. I would be willing, if these seamen were all Americans, that instead of bread and water it should be required they be fed on sponge cake and Borden's milk. But since the House has seen fit to vote down the proposition of requiring that these people shall be able to read and write, I am not so much concerned. The gentleman from Pennsylvania has called attention in another section to the bewildering and befogging phraseology, and I would like to ask the gentlemen who constructed this bill what is meant in section 5 "for continued, willful disobedience"? What length of time is "continued"? An hour, a day, a week, or a month?

Mr. ALEXANDER. Will the gentleman yield?

Mr. FOCHT. Yes.

Mr. ALEXANDER. Is the gentleman aware that that has been the law for many years?

Mr. FOCHT. When you impose a sentence, however, you must be definite and specific. A court having discretion, for the first offense, may remit the sentence or suspend it; the second, by giving a prisoner 30 days; and, for the third, sending him to the penitentiary. Here you say, "for continued, willful disobedience." How long is "continued"?

Mr. ALEXANDER. That will be in the discretion of the master. The language of the laws is, "For continued, willful disobedience to lawful command, or continued, willful neglect of duty at sea, by being, at the option of the master," and so forth. The provision does not relate to procedure in court; it states when the master may discipline the seaman.

Mr. FOCHT. Then you make a Tamerlane or a Ramasis of him.

Mr. ALEXANDER. Unlike the gentleman, we do not assume that the master is a tyrant any more than we assume that the sailor is a criminal.

Mr. FOCHT. You give him the power of a tyrant, and he may often exercise it, as has frequently been the case in the past. I would like to say to the chairman of this committee while I have an opportunity, that instead of spending so much time on this bill, may I ask him to say to this House and the country, with the Democratic Party in power here, why you Democrats do not bring on the floor of this House the immigration bill, that we may pass it and restrict immigration?

Mr. ALEXANDER. I am not surprised that the gentleman from Pennsylvania treats with contempt any legislation the purpose of which is to ameliorate the condition of labor. He seems to have no sympathy with labor, judging by his impatience at the time consumed in the consideration of this bill.

Mr. FOCHT. Oh, yes. I live in a labor district, and will offer my public record and submit to my colleague from Pennsylvania [Mr. WILSON] where I stand and have stood on all labor questions.

Mr. ALEXANDER. Yes. The gentleman may have to explain his declaration on the labor question on this floor here to-day.

Mr. FOCHT. Yes. I am willing to explain it here and hereafter, but the gentleman has not answered that question. The country calls for the restriction of immigration, and the gentleman and the Democratic Party refuse to bring on this floor a bill providing for it. Why does not the gentleman and his party do it?



Mr. ALEXANDER. I have no jurisdiction of that subject. I am chairman of the Committee on the Merchant Marine and Fisheries, and am presenting a bill reported by that committee.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. FOCHT. Mr. Speaker, I ask leave to extend my remarks in the Record.

The SPEAKER. The gentleman from Pennsylvania [Mr. FOCHT] asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. FOCHT. In this connection and as the question, in part at least, bears on the interest of labor I wish to say that in these active, progressive times in the evolution of American social and economic life it is only fair that men in public office should indicate, at least, their tendency with respect to public action on the great issues now commanding the Nation's attention, and, if possible, reenforce these declarations by some measure of evidence of work done and capacity to represent a great people in a great office. I stand for an adequate measure of protection on all competitive articles, the amount of protection to be governed by the difference of cost of production at home and abroad, and this difference to be scientifically ascertained by a continuing nonpartisan tariff board. Free trade or a tariff for revenue only is impossible for this country. Our industries must be protected against the products of poorly paid European and Asiatic labor, and unless this is done panic and commercial ruin must inevitably, as in the past, sweep the country.

But in order that the law of supply and demand may operate unhindered the gigantic price-fixing monopolies must be brought within control or destroyed.

Amplify protect our industries, but let competition within this zone of protection make the selling price to the consumer.

Restrict immigration, not only as a measure of protection to American labor but for moral and hygienic reasons.

A protective tariff must be maintained if we are to hold our commercial status and be prosperous as a Nation, for free trade means a business and labor parity with the cheap-producing and cheap-living countries of Europe and Asia. The commerce between the States of the Republic, which is greater than the commerce between all the nations of Europe, must not be sacrificed, but, on the other hand, the power and will of the people must assert itself and strangle the price-fixing monopolies. And until immigration is restricted the labor of the country can not receive that full measure of reward and benefit which protection offers the manufacturer.

Let there be maintained a tariff that will protect all competitive articles, smash the price-fixing trusts and monopolies, restrict immigration, and require the untaxed billionaires to bear their share of the Nation's burdens in equal proportion with the manufacturer and workman; then we believe many of the ills of the country will disappear and something more akin to an ideal condition prevail for all classes.

This is my platform, and while briefly stated, I believe goes straight to the vitals of the paramount issues of this era. I enunciated these doctrines long ago. I reiterated them at the farmers' picnic in Union County last August and again as late as February 22, 1912, at Lewistown, when I was the guest and speaker at a banquet given by the Patriotic Order Sons of America. During this Congress I introduced a bill providing for the restriction of immigration; within a month I voted to tax the big billionaires; ever and always my voice and the weight of my influence have been against monopolies and illegal trusts.

For the soldier and his widow and children, for the great farming industry in contingencies like the discussion on reciprocity, in which I stood the defender of the interests of Pennsylvania farmers, for the arm of labor I have always been; for the home and fireside and the boys and girls at public school I have given, and will give, a maximum of effort and energy.

Mr. HARDY. Mr. Speaker, I think after this miniature maelstrom and petty storm in the House a little calm consideration will be of use. The present law provides that for continued willful disobedience to lawful commands, or continued willful neglect of duty at sea, the offender shall, at the option of the master, be placed in irons or fed on bread and water. "Continued willful disobedience" is continued as long as it continues and until it discontinues. We need not split hairs about that.

So far as placing a man in irons is concerned, that is the old law, the present law. So far as putting seamen on bread and water is concerned, it is also present law. It is, as I believe was stated by Capt. Hobson, one of the methods of bringing to reason the unreasonable and unruly. It is deemed to be essential because while the seaman is on board a vessel at sea,

the life and safety of every passenger on board and that of the whole crew depends upon his subordination to lawful authority and the preservation of order. It is absolutely necessary that the master or commander of the vessel should have some means of keeping order, and to put a third or a half of his crew, maybe, in irons and then feed them on bread and honey or on milk and honey might not be a quick way of bringing them to order.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from California?

Mr. HARDY. I do.

Mr. RAKER. If the statement made by the gentleman is correct—that is, that a third of the crew may be kept in irons and fed on bread and water for a week, and a storm comes on and the lives of the passengers and everybody on board are in danger—of course, these fellows who have been in irons for a week and fed on bread and water would not be in splendid shape to help save the passengers, would they?

Mr. HARDY. They are kept there as long as they do not obey. The seamen themselves, recognizing the importance of order for themselves and for the safety of life and property at sea, have never asked for the abolition of the bread-and-water provision.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Ohio?

Mr. HARDY. I do.

Mr. LONGWORTH. The adoption of this amendment would not prevent the penalty of bread and water—the mere striking out of the words. The adoption of this amendment would have no effect on that.

Mr. HARDY. No. The provision authorizes and limits what punishment may be inflicted. The gentleman is correct; the proposed amendment would not accomplish the purpose intended, but the leaders of labor and the heads of the Seamen's Union have never asked that the bread-and-water provision should be abolished.

This is a bill in regard to which this side of the House is very much in earnest. The committee, in reporting this bill for improving the conditions and promoting the interests of seamen, do not want to jeopardize the safety of the passengers on the vessel or destroy the power of the master to preserve order while at sea.

Mr. PADGETT. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. HARDY. I do.

Mr. PADGETT. A moment ago the question was asked about the use of irons in the Navy.

Mr. HARDY. Yes.

Mr. PADGETT. On February 16, 1909, Congress passed an act containing this phrase:

*Provided, That the use of irons, single or double, is hereby abolished, except for the purpose of safe custody or when part of a sentence imposed by a general court-martial.*

Mr. HARDY. That is in effect the purpose of this bill. If, while the vessel is at sea, a member of the crew becomes thoroughly disorderly and refuses to carry out the orders of the captain and becomes turbulent, he can be put in irons and kept there as long as he continues in that spirit. That is all there is in it, and it is very essential.

The SPEAKER. The question is on agreeing to the amendment to the amendment.

The question was taken, and the amendment to the amendment was rejected.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

SEC. 7. That section 4600 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"Sec. 4600. It shall be the duty of all consular officers to discountenance insubordination by every means in their power, and, where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused, the consular officer shall inquire into the facts and proceed as provided in section 4583 of the Revised Statutes; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of such discharge and the particulars in which the cruel or unusual treatment consisted, and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner."

Mr. McMORRAN. Mr. Speaker, I move to strike out the last word, for the purpose of asking a question of the chairman of the committee.

The SPEAKER. The gentleman from Michigan [Mr. McMorran] moves to strike out the last word.

Mr. McMORRAN. We have been here for a long time to-day. This bill involves great interests. We have been unable to keep a quorum. Is not the gentleman willing at this time that we should adjourn until to-morrow morning?

Mr. ALEXANDER. Why not dispose of this section first?

Mr. HUMPHREY of Washington. May I make a suggestion to the gentleman from Michigan [Mr. McMorran]? Would the gentleman be willing that the bill might first be read down to section 10? There is nothing in particular in dispute to that point—to section 10, on page 11.

Mr. ALEXANDER. Why not skip section 10?

Mr. HUMPHREY of Washington. All the rest of the bill is contested.

Mr. TRIBBLE. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Michigan yield to the gentleman from Georgia?

Mr. McMORRAN. Yes.

Mr. TRIBBLE. The gentleman proposes an adjournment. Does he think that, beginning at 12 o'clock and quitting at 4 o'clock, when this House wants to go home and the people want this House to adjourn, is sufficient time to work?

Mr. McMORRAN. Why are not the gentleman's people here?

The SPEAKER. The question is not debatable. Did the gentleman refuse to comply with the suggestion to adjourn?

Mr. McMORRAN. I proposed to the gentleman to adjourn.

Mr. HUMPHREY of Washington. I was trying to ascertain if we could not reach an agreement, so that the gentleman would not need to make the point of no quorum until we reached section 10.

Mr. ALEXANDER. And I ask why should we not dispose of this section first and then proceed as far as section 10?

Mr. HUMPHREY of Washington. That is what I was trying to suggest.

The SPEAKER. If there be no objection, the pro forma amendment will be considered as withdrawn and the Clerk will read.

The Clerk read as follows:

SEC. 8. That section 4611 of the Revised Statutes of the United States be, and is hereby, amended to read as follows:

"SEC. 4611. Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this section it shall be the duty of such master to surrender such officer to the proper authorities as soon as practicable. Any failure on the part of such master to comply herewith, which failure shall result in the escape of such officer, shall render the master or the vessel liable in damages for such punishment to the person illegally punished by such officer."

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7157. An act to make uniform charges for furnishing copies of records of the Department of the Interior and of its several bureaus.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 4012. An act to authorize the exchange of certain lands with the State of Michigan.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 7027) to prohibit the interstate transportation of pictures of prize fights, and for other purposes.

#### SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 7157. An act to make uniform charges for furnishing copies of records of the Department of the Interior and of its several bureaus; to the Committee on Public Lands.

#### ENROLLED BILL SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 11628. An act authorizing John T. McCrosson and associates to construct an irrigation ditch on the island of Hawaii, Territory of Hawaii.

#### ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 21477. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

#### LAWS RELATING TO SEAMEN.

The House resumed consideration of the bill (H. R. 23673) to abolish the involuntary servitude imposed upon seamen in the merchant marine of the United States while in foreign ports and the involuntary servitude imposed upon the seamen of the merchant marine of foreign countries while in ports of the United States, to prevent unskilled manning of American vessels, to encourage the training of boys in the American merchant marine, for the further protection of life at sea, and to amend the laws relative to seamen.

The following committee amendment to section 8 was read:

Page 11, line 1, strike out "of" and insert "or."

Mr. WILSON of Pennsylvania. Mr. Speaker, that is the only change that there is from existing law in this section. By an error in the printing of the bill the existing law was printed without the amendment proposed.

Mr. MOORE of Pennsylvania. Is this the existing law with the single exception of the amendment changing the word "of" to the word "or"?

Mr. WILSON of Pennsylvania. That is the only change.

Mr. MOORE of Pennsylvania. Will the gentleman tell us, then, how lines 23 and 24 of page 10 have been interpreted heretofore? The master is to surrender such officer "to the proper authorities" as soon as practicable. That may be in a foreign port or it may be in a port of the United States. I should like to know who the proper authorities are.

Mr. WILSON of Pennsylvania. That expression has received the interpretation of the courts, and I think there is no doubt that it is the correct way of stating it. The only change that is made in this section is to make not only the master liable but the vessel also liable for failure to make delivery.

Mr. MOORE of Pennsylvania. The committee is satisfied with the law as it stands, and with the expression "proper authorities" in the indefinite form that it is?

Mr. WILSON of Pennsylvania. Yes; the committee are satisfied.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 9. That section 23 of the act entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce," approved December 21, 1898, be, and is hereby, amended as regards the items of water and butter, so that in lieu of a daily requirement of 4 quarts of water there shall be a requirement of 5 quarts of water every day, and in lieu of a daily requirement of 1 ounce of butter there shall be a requirement of 2 ounces of butter every day.

Mr. McMORRAN. Mr. Speaker, I move that the House do now adjourn.

Mr. ALEXANDER. Has the gentleman any objection to this next section, as to allotments?

Mr. McMORRAN. That is a very important section.

Mr. ALEXANDER. It only relates to allotments. There is a subsequent section relating to able seamen. I am perfectly willing that we should stop when we get to that section, but I do not think there can be any objection to this or the next one. Neither the seamen nor the shipowners object to this. It will save a few minutes' time. I will agree to stop when we reach section 12.

Mr. HUMPHREY of Washington. There will be considerable debate on section 10.

The SPEAKER. The Clerk will read.

Mr. McMORRAN. I make the point of no quorum present.

Mr. TRIBBLE. I move a call of the House.

The SPEAKER. The gentleman from Michigan [Mr. McMorran] makes the point of no quorum. The gentleman from Georgia [Mr. Tribble] moves a call of the House.

Mr. HUMPHREY of Washington. I move that the House do now adjourn.

Mr. RODDENBERY. I suggest that the motion to adjourn is not in order.

The SPEAKER. The motion to adjourn is always in order.

The question being taken, on a division (demanded by Mr. HUMPHREY of Washington), there were—ayes 9, noes 26.

The SPEAKER. The House refuses to adjourn. The question recurs on the motion of the gentleman from Georgia [Mr. Tribble] for a call of the House.

The motion was rejected.



Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Wednesday, July 24, 1912, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. EVANS, from the Committee on Military Affairs, to which was referred the bill (S. 4301) authorizing the Secretary of War to lease to the Chicago, Milwaukee & Puget Sound Railway Co. a tract of land in the Fort Keogh Military Reservation, in the State of Montana, and for a right of way thereto for the removal of gravel and ballast material, reported the same without amendment, accompanied by a report (No. 1041), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURKE of Pennsylvania, from the Committee on Military Affairs, to which was referred the bill (S. 6678) authorizing the Secretary of War, under certain conditions, to detail officers of the Corps of Engineers to supervise and direct the construction of a canal between Lake Erie and the Ohio River, and for other purposes, reported the same without amendment, accompanied by a report (No. 1042), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BULKLEY, from the Committee on Patents, to which was referred the joint resolution (H. J. Res. 337) requesting the President to cause an investigation of the Patent Office and make a report, with recommendations, to Congress, reported the same with amendment, accompanied by a report (No. 1051), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GOULD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 6763) to authorize the cities of Bangor and Brewer, Me., to construct or reconstruct, wholly or in part, and maintain and operate a bridge across the Penobscot River between said cities, without a draw, reported the same without amendment, accompanied by a report (No. 1046), which said bill and report were referred to the House Calendar.

Mr. HAMLIN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 25592) authorizing the construction, maintenance, and operation of a dam or dams across the Current River in Ripley, Carter, and Shannon Counties, for the purposes of improving navigation and the development of water power, reported the same without amendment, accompanied by a report (No. 1047), which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 25882) to authorize the construction of certain dams across various navigable waters of the United States therein specified, reported the same without amendment, accompanied by a report (No. 1050), which said bill and report were referred to the House Calendar.

Mr. BROUSSARD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 6777) to authorize the board of county commissioners of Horry County, S. C., to construct a bridge across Kingston Lake, at Conway, S. C., reported the same with an amendment, accompanied by a report (No. 1048), which said bill and report were referred to the House Calendar.

Mr. AYRES, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 18228) to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or near-by waters and saved by American citizens and repaired in American shipyards, reported the same with amendment, accompanied by a report (No. 1043), which said bill and report were referred to the House Calendar.

Mr. HAMLIN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 25292) to authorize the Union Pacific Railroad Co. to construct a bridge across the Missouri River, reported the same without amendment, accompanied by a report (No. 1049), which said bill and report were referred to the House Calendar.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 25238) authorizing and permitting M. C. McCandless, W. C. Hale, W. H.

Mullins, John Loop, and E. M. Grant, their successors and assigns, to build and maintain dams and water-power development in and across Clinch River, in Grainger, Claiborne, and Hancock Counties, State of Tennessee, reported the same with amendment, accompanied by a report (No. 1045), which said bill and report were referred to the House Calendar.

Mr. RICHARDSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 25881) to authorize the building of a dam across the Coosa River, Ala., at a place suitable to the interests of navigation about 7½ miles above the city of Wetumpka, reported the same without amendment, accompanied by a report (No. 1044), which said bill and report were referred to the House Calendar.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 25906) to provide for the erection of a public building at the city of Greenville, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25907) to provide for the erection of a public building at the city of Brewton, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 25908) to provide for the erection of a public building at the city of Andalusia, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. ROTHERMEL (by request): A bill (H. R. 25909) extending the time for the repayment of certain war-revenue taxes erroneously collected; to the Committee on the Judiciary.

By Mr. NEELEY: A bill (H. R. 25910) appropriating \$15,000, or so much thereof as may be necessary, for the purpose of making an investigation into the feasibility and practicability of constructing an irrigation reservoir on the Cimarron River, at or near the intersection of Grant, Haskell, Stevens, and Seward Counties, State of Kansas; to the Committee on Irrigation of Arid Lands.

By Mr. PETERS: A bill (H. R. 25911) authorizing the Treasury Department to test upon ships a device for hoisting and lowering lifeboats at sea; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: A bill (H. R. 25912) providing for the erection of a monument to Francis Scott Key and to the defenders of Fort McHenry at the time of the British attack on that fortification; to the Committee on the Library.

By Mr. AIKEN of South Carolina: Joint resolution (H. J. Res. 340) making appropriation to be used in exterminating the army worm; to the Committee on Agriculture.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Ohio: A bill (H. R. 25913) granting an increase of pension to Melissa Graves; to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 25914) granting an increase of pension to Isaac Wilkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25915) granting an increase of pension to Michael Hartman; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 25916) granting an increase of pension to Harvey D. C. Skinner; to the Committee on Invalid Pensions.

By Mr. DONOHUE: A bill (H. R. 25917) to correct the military record of Timothy A. Maher; to the Committee on Military Affairs.

Also, a bill (H. R. 25918) to correct the military record of Samuel Jackaway; to the Committee on Military Affairs.

By Mr. FAIRCHILD: A bill (H. R. 25919) granting a pension to Francis I. Helm, alias Francis Boyd; to the Committee on Invalid Pensions.

By Mr. FRANCIS: A bill (H. R. 25920) granting a pension to Andrew Crowl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25921) granting a pension to Margaret A. Ramage; to the Committee on Invalid Pensions.

By Mr. HARTMAN: A bill (H. R. 25922) granting a pension to William W. Laughlin; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 25923) granting a pension to Edward Hinman; to the Committee on Pensions.

By Mr. NEELEY: A bill (H. R. 25924) to remove the charge of desertion from the record of Frank H. Cogan; to the Committee on Military Affairs.

By Mr. PATTON of Pennsylvania: A bill (H. R. 25925) granting an increase of pension to Cyrus Michael; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25926) granting a pension to William Clinton; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 25927) granting an increase of pension to Casper Laager; to the Committee on Pensions.

By Mr. SCULLY: A bill (H. R. 25928) granting a pension to John W. Merriman; to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 25929) for the relief of the estate of Leopold Harth, deceased; to the Committee on War Claims.

By Mr. VOLSTEAD: A bill (H. R. 25930) for the relief of William Helsper; to the Committee on War Claims.

Also, a bill (H. R. 25931) granting a pension to Lucretia B. Crockett; to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 25932) granting an increase of pension to Lydia L. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25933) granting an increase of pension to Michael O'Sullivan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 25934) granting an honorable discharge to William H. Thiel; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. FULLER: Petition of the Southern Baptist Convention at Oklahoma, Okla., protesting against the wearing of any religious garb in Government schools; to the Committee on Indian Affairs.

By Mr. GRIEST: Petition of C. A. Burrows, Lancaster, Pa., favoring legislation relative to the high cost of living; to the Committee on Foreign Affairs.

By Mr. HARTMAN: Petition of the Aero Club of Pennsylvania, favoring passage of a national statute for the regulation and control of the navigation of the air; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKEAD of New Jersey: Petition of C. E. James, Bayonne, N. J., favoring passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Workmen's Sick and Death Benefit Fund of the United States of America, protesting against the passage of House bill 22527, for restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Nebraska, protesting against the passage of any parcel-post measures; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Petition of the Chamber of Commerce, Los Angeles, Cal., favoring passage of bill giving American vessels free use of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Southern Baptist Convention at Oklahoma, Okla., favoring passage of bill prohibiting the wearing of any religious garb in Government schools; to the Committee on Indian Affairs.

By Mr. SCULLY: Petition of citizens of Perth Amboy, N. J., against passage of bill providing celebration of 100 years of peace with England; to the Committee on Foreign Affairs.

By Mr. SULZER: Petition of the Maritime Exchange of New York City and the American Institute of Marine Underwriters, favoring appropriation of \$5,000 to cover cost of the participation of the United States at the International Conference on Maritime Law; to the Committee on Appropriations.

Also, petition of the American Embassy Association of New York, favoring passage of House bill 22589, for improving embassy, legation, and consular buildings; to the Committee on Foreign Affairs.

By Mr. UNDERHILL: Petition of the Shorthand Club of New York (Inc.), protesting against passage of House bill 4036, providing for appointment of official shorthand reporters for the United States district courts; to the Committee on the Judiciary.

By Mr. WILSON of New York: Memorial of Jacob S. Strahl, Lodge, No. 158, Independent Order Ahawas Israel, of Brooklyn, N. Y., against passage of bills restricting immigration; to the Committee on Immigration and Naturalization.

Also, petition of New York Typographical Union, No. 6, against passage of parts of Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

Also, petition of Photo-Engravers' Union of New York City, against passage of the Bourne parcel-post bill; to the Committee on the Post Office and Post Roads.

#### SENATE.

WEDNESDAY, July 24, 1912.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. Lodge and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented resolutions adopted by the International Longshoremen's Association, favoring appropriations for deepening and widening the channels of the Great Lakes, etc., which were referred to the Committee on Commerce.

He also presented a resolution adopted by members of the Inventors' Guild, favoring the appointment of a commission to investigate and accomplish reforms in the Patent Office and in the courts hearing patent cases, which was referred to the Committee on Patents.

Mr. CRAWFORD presented a petition of Local Division No. 213, Brotherhood of Locomotive Engineers, of Huron, S. Dak., praying for the enactment of legislation granting to the publications of fraternal associations the privileges of second-class mail matter, which was ordered to lie on the table.

Mr. PERKINS. I present a telegram from the president of the Chamber of Commerce of San Francisco, Cal., which I ask may lie on the table and be printed in the Record.

There being no objection, the telegram was ordered to lie on the table and to be printed in the Record, as follows:

SAN FRANCISCO, CAL., July 23, 1912.

HON. GEORGE C. PERKINS,  
Senate Chamber, Washington, D. C.:

Answering yours 21st, telegrams referred to are personal from certain members of chamber, presumably sent following their signatures to petition circulated by transportation companies interested authorizing telegrams to be sent in members' names. They do not represent official action of this chamber, as names and signatures are unknown to us. Can not acknowledge as requested. Attitude of chamber of commerce is expressed in its resolution of March 11, copy of which you have. This resolution was unanimously adopted by the board of directors of chamber and represents opinion of a large majority of its members in obtaining signatures to the petition. All influence was exercised on those from whom Pacific Mail purchases supplies and with whom it has business relations. Please file this communication with the Senate committee and reaffirm chamber's attitude as expressed in the resolution referred to.

SAN FRANCISCO CHAMBER OF COMMERCE,  
M. H. ROBBINS, Jr., President.

Mr. SMITH of Michigan presented petitions of sundry citizens of Middleville, Mich., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which were ordered to lie on the table.

He also presented a petition of Central Lodge, No. 475, International Association of Machinists, of Grand Rapids, Mich., praying for the passage of the so-called eight-hour bill, which was ordered to lie on the table.

He also presented the memorial of George W. Stone, commander Department of Michigan, Grand Army of the Republic, of Lansing, Mich., remonstrating against the proposed discontinuance of the pension agency at Detroit, Mich., which was referred to the Committee on Pensions.

He also presented resolutions adopted by the State Association of Farmers' Clubs of Michigan, favoring the enactment of legislation designating September 30 of each year as "memory day," which were referred to the Committee on the Judiciary.

Mr. OLIVER presented a memorial of sundry citizens of Wilmerding, Pa., remonstrating against an appropriation being made to be used for the purpose of celebrating the one hundredth anniversary of peace with England, which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 1, International Steel and Copper Plate Printers' Union of North America, of Philadelphia, Pa., praying for the passage of the so-called injunction limitation bill, which was ordered to lie on the table.

He also presented resolutions adopted by members of the Aero Club of Pennsylvania, favoring the enactment of legislation providing for the regulation and control of aerial navigation, which were referred to the Committee on the Judiciary.

Mr. WETMORE presented a petition of sundry members of the New England Society of Friends, residents of Providence, R. I., praying for the enactment of an interstate liquor law to prevent the nullification of State liquor laws by outside dealers, which was ordered to lie on the table.

Mr. PENROSE presented a memorial of sundry citizens of Wilmerding, Pa., remonstrating against an appropriation being made for the purpose of celebrating the one hundredth anniversary of peace with England, which was referred to the Committee on Foreign Relations.